



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
[www.ladpw.org](http://www.ladpw.org)

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE: PD-1

December 5, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**STATE ROUTE 126/COMMERCE CENTER DRIVE INTERCHANGE IMPROVEMENTS  
THE NEWHALL LAND AND FARMING COMPANY-COUNTY  
FUNDING AGREEMENT  
COUNTY-STATE COOPERATIVE AGREEMENT  
SUPERVISORIAL DISTRICT 5  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Consider the enclosed Negative Declaration (ND) certified by the State of California Department of Transportation (Caltrans) on June 22, 2006, and the Finding of No Significant Impact (FONSI) determination by the Federal Highway Administration on August 22, 2006, for the State Route (SR) 126/Commerce Center Drive Interchange Improvement project; determine that the documents adequately address the environmental impacts of the proposed project and the acquisition of the permanent and temporary rights is within the scope of the project; find that these actions also reflect the independent judgment of the County; find that your Board has complied with the requirements of the California Environmental Quality Act (CEQA) and adopt by reference the ND/FONSI.
2. Approve and instruct the Chairman of the Board to sign the enclosed Agreement between the County and The Newhall Land and Farming Company (Newhall Land) for the project. The Agreement provides for

Newhall Land to perform the preliminary engineering and to grant the necessary rights of way for the project on property presently owned by or under the control of Newhall Land and to finance the entire cost of the design and right-of-way acquisition for the project. Newhall Land is also to finance the cost of the County's engineering services, currently estimated to be \$810,000. Under this Agreement, the County will review and approve all preliminary engineering submittals and perform utility coordination, survey, and rights-of-way acquisition. The Agreement further provides for Newhall Land to receive commensurate Bridge and Thoroughfare District fee credits to be applied toward its future development projects in the area.

3. Approve and instruct the Chairman of the Board to sign the enclosed Agreement between the County and the State of California, acting by and through Caltrans, covering the design phase of the project. The Agreement establishes the County's responsibility to prepare the Project Report, plans, specifications, and estimate for the project and acquire the necessary right of way at no cost to Caltrans. The Agreement also establishes Caltrans' responsibility to provide oversight, at their own cost, and a no-fee encroachment permit for the project.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The County, Newhall Land, and Caltrans propose to construct State highway improvements consisting of a grade-separated interchange at the SR 126/Commerce Center Drive intersection, widening of SR 126, new freeway ramps, new traffic signals at the intersection of Henry Mayo Drive and Commerce Center Drive and at the eastbound ramps intersection, and realigning Henry Mayo Drive. Your Board's approval of the enclosed Agreements is necessary for the delegation of responsibilities and the cooperative financing of the project.

Pursuant to Section 130 of the California Streets and Highways Code, Caltrans and County are authorized to enter into cooperative Agreements for improvements to State highways within the County of Los Angeles.

#### **Implementation of Strategic Plan Goals**

This action meets the County Strategic Plan Goal of Service Excellence. By constructing the proposed improvements, traffic flow will be enhanced for County residents who travel on these roads, and thereby improving their quality of life.



### **FISCAL IMPACT/FINANCING**

There will be no impact to the County's General Fund.

The entire cost of the design and right-of-way acquisition for the project will be funded with developer funds from Newhall Land. Funding for the cost of the County's engineering services, currently estimated to be \$810,000, is included in the Fiscal Year 2006-07 Road Fund Budget. This cost will be reimbursed by Newhall Land.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The enclosed County-Newhall Land Agreement, which has been reviewed and approved as to form by County Counsel and signed by Newhall Land, provides for Newhall Land to perform the preliminary engineering and to grant the necessary rights of way for the project on property presently owned by or under the control of Newhall Land and to finance the entire cost of the design phase of the project. Newhall Land is also to finance the cost of the County's engineering services, currently estimated to be \$810,000. The County is to review and approve all preliminary engineering submittals and perform utility coordination, survey, and rights-of-way acquisition. Under the terms of the Agreement, Newhall Land is to deposit with the County, within 14 days following the execution of the Agreement for the project, the amount of \$790,000, in addition to its previous deposit of \$20,000 made on March 23, 2006, to finance the cost of the County's engineering services for the design phase of the project.

The enclosed County-State Cooperative Agreement, which has been reviewed and approved as to form by County Counsel, provides for the County to prepare the Project Report, plans, specifications, and estimate for the project and to acquire the necessary right of way at no cost to Caltrans. Caltrans is to provide oversight, at their own cost, and a no-fee encroachment permit for the project.

### **ENVIRONMENTAL DOCUMENTATION**

CEQA requires public agency decision makers to document and consider the environmental impacts of their actions. Caltrans has certified the ND, and Federal Highway Administration has issued a FONSI for the SR 126/Commerce Center Drive Interchange project. The recommended findings are in accordance with CEQA and are required prior to your Board's approval of the Agreements.

The Honorable Board of Supervisors  
December 5, 2006  
Page 4

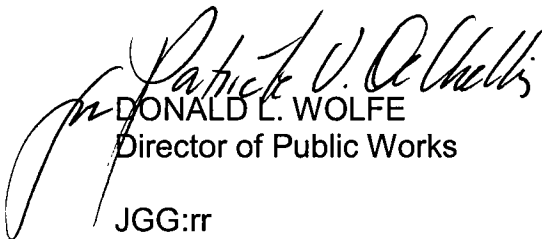
### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

SR 126 is part of the State Freeway and Expressway system. It is a major access route between Interstate 5 and Ventura County. Commerce Center Drive is a major highway on the County Highway Plan, and the proposed improvements are needed and of general County interest.

### **CONCLUSION**

Enclosed are three copies of the County-Newhall Land Agreement and six copies of the County-State Cooperative Agreement. Upon approval by your Board, please return two copies of the County-Newhall Land Agreement and six copies of the County-State Agreement marked ORIGINAL to us for processing together with one adopted copy of this letter. The County-Newhall Land Agreement marked COUNTY ORIGINAL is for your files. After the County-State Cooperative Agreement has been executed by Caltrans, we will return a fully executed original Agreement to the Executive Office of the Board.

Respectfully submitted,



DONALD L. WOLFE  
Director of Public Works

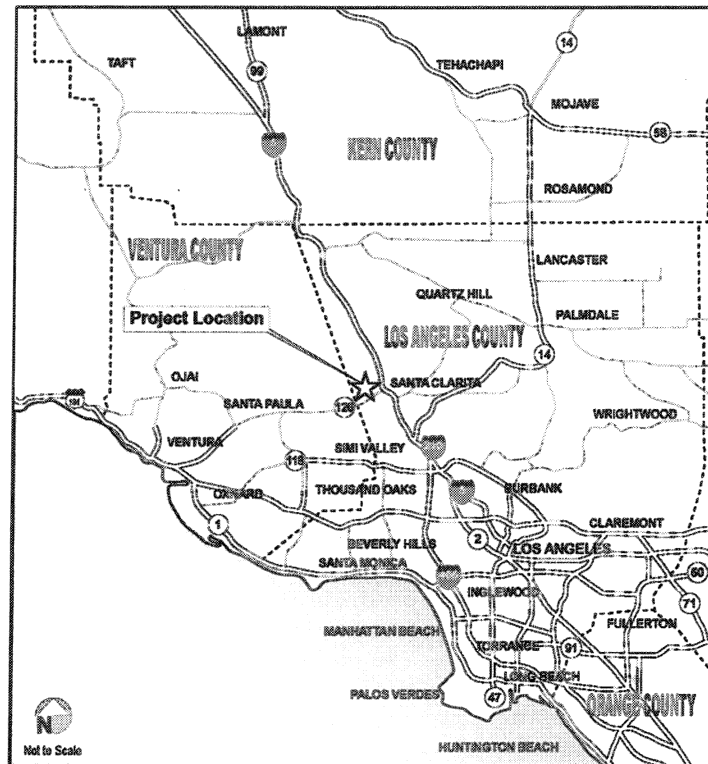
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Enc. 4

cc: Chief Administrative Office  
County Counsel

# SR 126/COMMERCE CENTER DRIVE INTERCHANGE PROJECT



## INITIAL STUDY/ENVIRONMENTAL ASSESSMENT

State Route 126 and Commerce Center Drive  
County of Los Angeles, State of California

07-LA-126-KP R6.8 – R9.2

(PM R4.2 – R5.7)

EA: 187220

SCH: 2003101127

September 2006





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07-LA-126 KP R6.8 – R9.2  
(PM R4.2 – R5.7)  
EA: 187220  
SCH: 2003101127

SR 126/COMMERCE CENTER DRIVE INTERCHANGE PROJECT  
KP R6.8 – R9.2 (PM R4.2 – R5.7)

**INITIAL STUDY/  
ENVIRONMENTAL ASSESSMENT**

Submitted Pursuant to: (State) Division 13, Public Resources Code  
(Federal) 42 USC 4332(2)(C)

U.S. DEPARTMENT OF TRANSPORTATION  
Federal Highway Administration, and  
THE STATE OF CALIFORNIA  
Department of Transportation

May 10, 2005  
Date of Approval

  
Ronald J. Kosinski  
Deputy District Director  
California Department of Transportation

May 11, 2005  
Date of Approval

  
for Gene K. Fong  
Division Administrator  
Federal Highway Administration





**U.S. DEPARTMENT OF TRANSPORTATION**  
FEDERAL HIGHWAY ADMINISTRATION  
CALIFORNIA DIVISION  
650 Capitol Mall, Suite 4-100  
Sacramento, CA. 95814  
August 22, 2006

IN REPLY REFER TO  
HDA-CA  
File #: 07-LA-126  
PM R4.2-R5.7  
EA 187220  
Document #: P55308

Mr. Douglas R. Failing, District Director  
California Department of Transportation  
District 7  
100 S. Main Street  
Los Angeles, CA 90012

Attention: Mr. Chris Benz-Blumberg

Dear Mr. Failing:

SUBJECT: Issuance of the Finding of No Significant Impact (FONSI) for State Route 126 /  
Commerce Center Drive Interchange Project

We are pleased to inform you that we are issuing the FONSI for the above-referenced project. Enclosed is the original signed FONSI for your use and distribution. This finding concludes the Federal Highway Administration's environmental review process for the proposed project, unless an environmental re-evaluation will be needed pursuant to 23 CFR 129.

Should you have any questions, please contact Mr. David Cohen, Environmental Protection Specialist, at (916) 498-5868.

Sincerely,

*/s/ Lisa Cathcart-Randall*

For  
Gene K. Fong  
Division Administrator

Enclosure



cc: (E-mail w/Enclosure)  
Jay Norvell, Caltrans  
Susanne Glasgow, Caltrans  
Carlos Montez, Caltrans  
Chris Benz-Blumberg, Caltrans  
Maiser Khaled, FHWA  
Lisa Cathcart-Randall, FHWA  
Steve Healow, FHWA  
David Cohen, FHWA



**FEDERAL HIGHWAY ADMINISTRATION  
FINDING OF NO SIGNIFICANT IMPACT**

**FOR**

**State Route 126 / Commerce Center Drive Interchange Project  
Los Angeles County, California**

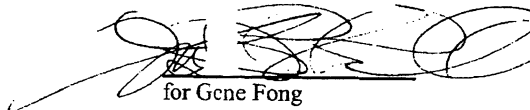
The proposed action (Alternative C, the selected alternative) is to construct a grade-separated interchange at the State Route 126 and Commerce Drive intersection, with a new overpass structure for Commerce Center Drive over SR 126. The new interchange will provide full movements for traffic between Commerce Center Drive and SR 126. The selected alternative will provide diamond ramps on SR 126 at Commerce Center Drive in the westbound direction. In the eastbound direction, a two-lane loop on-ramp will be constructed from southbound Commerce Center Drive to eastbound SR 126. From northbound Commerce Center Drive, a two-lane diagonal on-ramp will be provided near the intersection of Commerce Center Drive and Henry Mayo Drive. A one-lane off-ramp will also be provided from eastbound SR 126 to Henry Mayo Drive, which will be realigned to the south, and extended to the west.

SR 126 will be widened both in the east and westbound directions. From the SR 126 / Commerce Center Drive interchange, SR 126 will be widened from two to three lanes to the east in advance of the proposed on-ramps from Commerce Center Drive. These three lanes will continue up to the proposed improvements at the Interstate 5 / SR 126 interchange. In addition, a fourth and fifth lane will be added to eastbound SR 126 as the on-ramps from southbound and northbound Commerce Center Drive join SR 126. In the westbound direction on SR 126, the roadway will be widened from two lanes to four lanes in advance of the Commerce Center Drive off-ramp, and three lanes will continue through the interchange.

The Federal Highway Administration (FHWA) has determined that the selected alternative (Alternative C) will not have a significant impact on the natural and human environment. The Finding of No Significant Impact is based on the attached Environmental Assessment and the associated technical documents, which were independently evaluated by the FHWA, and determined to adequately and accurately discuss the environmental issues and impacts of the proposed project. The environmental analysis provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the Environmental Assessment.

Approved by:

8/22/2006  
Date

  
for Gene Fong  
Division Administrator  
Federal Highway Administration



## Negative Declaration

Pursuant to: Division 13, Public Resources Code

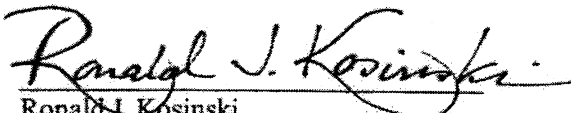
### **Project Description**

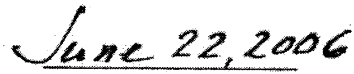
The California Department of Transportation (Caltrans), in coordination with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall Land), proposes to construct a grade-separated interchange at the existing, signalized intersection of State Route 126 (SR 126) and Commerce Center Drive. The proposed project is located northwest of the City of Santa Clarita in unincorporated Los Angeles County. As part of this proposed interchange project, SR 126 would be realigned to the south over a recently constructed embankment. The project would also result in the reconfiguration of the existing Commerce Center Drive/Henry Mayo Drive intersection to the south.

### **Determination**

Following public review, Caltrans has prepared an Initial Study/Environmental Assessment (IS/EA), and determines from this study that the proposed project would not have an adverse effect on the environment for the following reasons:

- There would be no adverse amount of siltation by wind or water, or erosion as a result of this project.
- Air quality, noise, and use of natural resources would not be adversely affected by this project.
- No adverse changes to existing lighting or glare conditions would result from this project.
- With adherence to appropriate measures to minimize harm, fish and wildlife such as endangered species, habitat, and vegetation would not be adversely impacted by this project.
- With adherence to measures to minimize harm outlined in the Natural River Management Plan (NRMP), floodplains, wetlands, and water quality would not be adversely impacted by this project.
- No effect on agricultural lands, land use, or growth would originate from this project.
- With adherence to appropriate measures to minimize harm, no public or recreational facilities, historic or archaeological sites, structures of architectural significance, or important agricultural or scenic resources would be affected by this project.
- No adverse effects on employment, industry, or economic stability of the area would result from this project.

  
Ronald J. Kosinski  
Deputy District Director, District 7  
Division of Environmental Planning  
California Department of Transportation

  
Date



## Summary

*Note: A vertical line in the margin indicates a change in the text from the original "Initial Study/Environmental Assessment."*

The California Department of Transportation (Caltrans), in coordination with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall Land), propose to construct a grade-separated interchange at the existing, signalized intersection of State Route 126 (SR 126) and Commerce Center Drive. The proposed project is located northwest of the City of Santa Clarita in unincorporated Los Angeles County. As part of the proposed project, SR 126 would be realigned to the south over a recently constructed embankment and would include three lanes in each direction, for a total of six lanes. In addition, the existing Commerce Center Drive/Henry Mayo Drive intersection would be reconfigured to the south.

The project is intended to achieve the following objectives:

- Improve local access and traffic circulation
- Mitigate traffic impacts from the approved Valencia Commerce Center project
- Incorporate planned infrastructure improvements consistent with local and regional planning efforts
- Enhance driver safety
- Accommodate planned growth within the study area

Four alternatives for the SR 126/Commerce Center Drive interchange project were studied in the Project Study Report (PSR), including the No Build Alternative and three build alternatives (CH2M HILL, 1999a). Each of the build alternatives included designs for an SR 126/Commerce Center Drive interchange. The alternatives analyzed in this document include the No Build Alternative and Alternative C, also known as the Locally Preferred Alternative (Build Alternative). The Build Alternative is essentially a full-access, partial-cloverleaf interchange. The two eliminated build alternatives include a Buttonhook Ramp Concept (Alternative A) and a Single-Point Diamond Concept (Alternative B).

Without implementation of the Build Alternative, roadway and intersection levels of service (LOS) in the vicinity of SR 126/Commerce Center Drive would worsen to an unacceptable LOS F, thereby increasing the potential for accidents. Approved developments such as the Valencia Commerce Center and the Newhall Ranch will add high volumes of new traffic to the region. Construction of the Build Alternative, however, would reduce vehicular weaving conflicts; increase roadway and intersection capacity; and improve overall highway

operations, thereby reducing the potential for accidents and unacceptable delays on SR 126. The final selection of an alternative would not be made until after receipt of agency comments and public hearing comments.

Implementation of the Build Alternative would impact sensitive biological resources within and adjacent to the project site; and appropriate measures to minimize harm would be employed to reduce these impacts. Potentially adverse impacts to these resources would thereby be mitigated. The project would be required to adhere to the measures to minimize harm provided in the approved Natural River Management Plan (NRMP) developed for projects in the Newhall Ranch area. This Initial Study/Environmental Assessment (IS/EA) demonstrates that the proposed project would be consistent with the NRMP, and thus would cause no adverse and unmitigable impacts.

Consultation / coordination with a variety of other agencies are required. Among these are:

- U.S. Army Corps of Engineers (USACE)
- California Regional Water Quality Control Board (RWQCB)
- California Office of Historic Preservation
- Native American Heritage Commission
- U.S. Fish and Wildlife Service (USFWS)
- California Department of Fish and Game (CDFG)
- Southern California Association of Governments (SCAG)
- South Coast Air Quality Management District (SCAQMD)
- County of Los Angeles Department of Regional Planning (DRP)
- City of Santa Clarita Planning and Building Services

Construction of the Build Alternative may require state or federal permits, reviews, or approvals in addition to those required by local jurisdictions. These additional requirements fall mainly under the following statutes:

- Federal Endangered Species Act (FESA)
- Clean Water Act
- National Historic Preservation Act
- Fish and Game Code
- California Endangered Species Act (CESA)
- Native Plant Protection Act (NPPA)
- Federal Migratory Bird Treaty Act (MBTA)

Table S-1 provides a summary of impacts and measures to minimize harm derived from the environmental analyses of the project.

TABLE S-1 - SUMMARY OF ALTERNATIVES CONSIDERED AND MEASURES TO MINIMIZE HARM

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
3.1 Hydrology, Water Quality, Stormwater Runoff Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>An increase of impervious surface area of approximately 8.5 hectares (21 acres).</li> <li>Increased runoff and the potential for increased erosion and scour within the riverbed is assumed to be directly proportional to the increase in impervious surface area; the increase in runoff would be negligible.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with Caltrans' SWMP and Caltrans NPDES permits and implementation BMPs to the maximum extent practicable.</li> <li>No measures are required.</li> </ul>
No Build Alternative		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Fine-grain particles solids entering the Santa Clara River may potentially contaminate aquatic and/or wetland habitats.</li> <li>Small increase in runoff to the Santa Clara River.</li> <li>No impact to Santa Clara River</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of SWPPP and BMPs and erosion control measures. Adherence to NRMP to minimize water quality impacts as listed.</li> <li>Adherence to standard construction methods and BMPs.</li> <li>No measures are required.</li> </ul>
3.3 Air Quality Build Alternative	<u>Cumulative Impacts:</u> <ul style="list-style-type: none"> <li>Congestion reduction would result from this project and would have a beneficial effect on air quality.</li> </ul>	<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Proposed project can cause a increase in the regional air quality impact; however, this has been included in the 2004 RTIP.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>Proposed project would not contribute to any carbon monoxide (CO) violations or cause an increase in any existing violations.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<ul style="list-style-type: none"> <li>Proposed project would not contribute to a violation of the PM<sub>10</sub> National Ambient Air Quality Standard.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Construction activities related to the build alternative.</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of BMPs such as fugitive dust control and vehicular emissions control.</li> </ul>
		<ul style="list-style-type: none"> <li>No air quality impacts.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
No Build Alternative			
<b>3.4 Noise</b>			
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Traffic noise level conditions exceed the 66 dBA criterion at all selected receiver locations within the Valencia Travel Village.</li> </ul>	<ul style="list-style-type: none"> <li>Abatement measures will be considered for the proposed project and may include construction of a noise wall along SR 126.</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Construction activities would increase noise levels in the immediate project area.</li> </ul>	<ul style="list-style-type: none"> <li>Equipment operation at the project site will conform to specifications requiring the contractor to comply with all Caltrans and local noise control rules, regulations, and ordinances.</li> </ul>
		<ul style="list-style-type: none"> <li>No noise impacts.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
No Build Alternative			
<b>3.6 Wetlands and Other Waters of the United States</b>			
Build Alternative		<u>Permanent and Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Detailed project-level limits of the riverbed and jurisdictional Waters of the U.S. were determined and certified by the USACE. USACE acknowledges that the riverbed area defined in the NRMP was conservative and contained</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures to minimize harm. Refer to Section 3.6.5.</li> </ul>



## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
No Build Alternative		areas that are not considered jurisdictional waters or wetlands.	
<b>3.7 Vegetation</b>		<ul style="list-style-type: none"> <li>No impact on wetlands.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>The proposed project would result in a loss of approximately 4.12 hectares (10.2 acres) of native habitat and 20.77 (51.3 acres) hectares of non-native habitat.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMPP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>
		<ul style="list-style-type: none"> <li>No adverse impacts on wildlife movement and habitat fragmentation are expected.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Grading activities would disturb soils and result in the accumulation of dust on the surface of leaves of trees, shrubs, and herbs, but would not reduce plant populations below self-sustaining levels.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMPP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>
No Build Alternative		<ul style="list-style-type: none"> <li>No impact on vegetation.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
<b>3.8 Wildlife</b>			
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>The proposed project would result in a loss of approximately 4.12 hectares (10.2 acres) of native habitat and 20.77 (51.3 acres) hectares of non-native habitat.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMPP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>Impacts from human activity due to the high biological value of native habitat areas in the study area may occur.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Temporary short-term impacts from construction noise may result in the temporary displacement of birds.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>
		<ul style="list-style-type: none"> <li>Noise may disturb nesting activity of birds.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>
		<ul style="list-style-type: none"> <li>Habitat remaining on the site adjacent to development would be disturbed due to increased traffic.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-5. (Removal of exotic plant species from the project location and implementation of a monitoring program.)</li> </ul>
		<ul style="list-style-type: none"> <li>Water quality could be affected by runoff of nutrients from project landscape features.</li> </ul>	<ul style="list-style-type: none"> <li>Standard BMPs implemented through the SWPPP and NPDES permit.</li> </ul>
No Build Alternative		<ul style="list-style-type: none"> <li>No impact on wildlife.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
3.9 Special-Status Species		<p><u>Permanent Impacts:</u></p> <ul style="list-style-type: none"> <li>Impacts to special-status plants are limited to Peirson's morning glory.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMF BIO-4 or BIO-5. (Restoration of temporarily disturbed area and removal of exotic plant species from the project location and implementation of a monitoring program, respectively.) Restoration shall include replanting of Peirson's morning glory as described under Section 3.9.4 of this document.</li> </ul>
		<ul style="list-style-type: none"> <li>Proposed project would not result in the loss of habitat for Quino checkerspot.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<ul style="list-style-type: none"> <li>Indirect impacts on Santa Ana sucker, unarmored three-spine stickleback, arroyo chub, and steel head trout.</li> </ul>	<ul style="list-style-type: none"> <li>(1) preconstruction surveys and temporary fish relocation by the USFWS or its agents; (2) restoration of adversely affected streams after construction; (3) diversion of streamflow around active construction sites in the river; and (4) use of sedimentation retention ponds, where needed.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>The proposed project would impact 4.12 hectares (10.2 acres) of potential estivating habitat for the arroyo toad and western spadefoot.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-1 and NRMP BIO-2. (Construction activities will be limited to disturbance and construction sites, and access roads within the riverbed will be inspected by a qualified biologist.)</li> <li>Four pre-construction surveys (two day surveys, two night surveys) for the arroyo toad will be required within 48 hours prior to construction. These surveys must be conducted by a biologist approved by the USFWS.</li> <li>An education program for construction workers on measures to protect the arroyo toad will be required.</li> <li>Protective measures described in the NRMP (original mitigation measures) will be implemented consistently. The resident engineer will have the authority to stop work if an arroyo toad may be harmed.</li> <li>Plans relating to the inadvertent release of hazardous materials shall be in place prior to the onset of ground-disturbing activities. These plans shall be available at the construction site.</li> <li>Sensitive areas will be marked and avoided to reduce the potential for take of arroyo toads associated with proposed restoration efforts.</li> <li>Any arroyo toads killed during project activities must be reported to the USFWS by telephone and in writing within 3 working days of the finding.</li> </ul>
		<ul style="list-style-type: none"> <li>The proposed project would not result in any impacts on the California red-legged frog.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>The proposed project would not impact any native upland habitat; project implementation would not impact the coastal western whiptail, coast horned lizard, coast patch nose snake, and the coastal rosy boa.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<ul style="list-style-type: none"> <li>The proposed project would impact the western pond turtle and two-striped garter snake.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-1 and NRMP BIO-2. (Construction activities will be limited to disturbance and construction sites, and access roads within the riverbed will be inspected by a qualified biologist.)</li> </ul>
		<ul style="list-style-type: none"> <li>The proposed project would result in a loss of 13.21 hectares (32.6 acres) of disturbed/ ruderal, and agricultural land that would be used by the tricolored blackbird, California horned lark, and loggerhead shrike.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-3 and NRMP BIO-21. (Construction sites and access roads within the riverbed will be inspected by a qualified biologist and through removal of exotic species.)</li> </ul>
		<ul style="list-style-type: none"> <li>The proposed project would result in the loss of 4.12 hectares (10.2 acres) of riparian habitat for the summer tanager, tricolored blackbird, western yellow warbler, and yellow-breasted chat. Impacts to these species would not be considered to be adverse.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>The project implementation would not impact the western yellow-billed cuckoo, southwestern willow flycatcher, coastal California gnatcatcher, and least Bell's vireo.</li> <li>The proposed project would impact approximately 4.12 hectares (10.2 acres) of riparian habitat that could be occupied by western yellow-billed cuckoo, southwestern willow flycatcher, and least Bell's; could discourage or disrupt nesting.</li> <li>The proposed project would result in the loss of suitable foraging and/or nesting habitat for Cooper's hawk, sharp-shinned hawk, golden eagle, long-eared owl, ferruginous hawk, Swainson's hawk, northern harrier, white tailed kite, merlin, prairie falcon, and burrowing owl.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMF BIO-3. (Removal of exotic species.)</li> <li>Compliance with measures from the NRMF BIO-3 and NRMF BIO-21. (Removal of exotic species and a survey of all the riparian areas within or adjacent to the riverbed shall be conducted by a qualified biologist.)</li> <li>Compliance with measures BIO-3, BIO-20, and BIO-22 from the NRMF. Construction sites and access roads within the riverbed will be inspected by a qualified biologist; a qualified biologist shall conduct a survey to determine if the burrowing owl is present at the site, and the nesting status of the individuals at the site. Construction activities in all riparian areas within or adjacent to the riverbed shall be surveyed to determine if raptors are nesting in large trees.</li> <li>No measures are required.</li> </ul>
		<ul style="list-style-type: none"> <li>The project implementation would not result in any impacts on the pallid bat, pale Townsend's big-eared bat, spotted bat, California mastiff bat, san Diego black-tailed jackrabbit, small-footed myotis, Yuma myotis, southern grasshopper mouse, and American badger.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>The proposed project would result in the loss of upland habitat for the San Diego black-tailed jackrabbit, southern grasshopper mouse, and American badger.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-3. (Construction sites and access roads within the riverbed will be inspected by a qualified biologist.)</li> </ul>
		<ul style="list-style-type: none"> <li>The proposed project would impact foraging habitat for the pallid bat, pale Townsend's big-eared bat, spotted bat, California mastiff bat, small-footed myotis, and Yuma myotis.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-3. (Construction sites and access roads within the riverbed will be inspected by a qualified biologist.)</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and denying activities for a variety of wildlife species.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-5. See Section 3.6.5.</li> </ul>
		<ul style="list-style-type: none"> <li>Grading activities would disturb soils and result in the accumulation of dust on the surface of leaves of trees, shrubs, and herbs, but would not reduce plant populations below self-sustaining levels.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with measures from the NRMP BIO-5. See Section 3.6.5.</li> </ul>
		<ul style="list-style-type: none"> <li>Additional impacts to biological resources in the area could occur as a result of changes in water quality.</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of standard BMPs through the SWPPP and NPDES permit.</li> </ul>
		<ul style="list-style-type: none"> <li>No impact on threatened and endangered species.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
No Build Alternative			
<b>3.10 Floodplains</b>			
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Construction of the proposed project would impact the natural and beneficial floodplain values.</li> </ul>	<ul style="list-style-type: none"> <li>BMPs would be implemented during construction to minimize impacts to the floodplain.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
No Build Alternative		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Approximately 3.79 hectares (9.4 acres) of the floodplain would be affected by components of the project. Construction-related impacts to the natural and beneficial floodplain values.</li> </ul>	<ul style="list-style-type: none"> <li>BMP's would be implemented during construction to minimize impacts to the floodplain.</li> </ul>
3.13 Land Use, Planning and Growth		<ul style="list-style-type: none"> <li>No impact on floodplains.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>The proposed project would be consistent with the existing land uses in the project area.</li> <li>The proposed interchange would be compatible with the planned developments in the area and local land use plans and policies.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> <li>No measures are required.</li> </ul>
No Build Alternative		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Construction staging would be temporary; substantial compatibility impacts or direct impacts are not anticipated.</li> <li>No impact of land use, planning, and growth.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> <li>No measures are required.</li> </ul>
3.14 Farmlands/ Agriculture Lands		<u>Permanent and Temporary Impacts:</u> <ul style="list-style-type: none"> <li>The acquisition of farmland within the project boundaries would not be considered an impact.</li> <li>No impact on farmlands/ agricultural lands.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> <li>No measures are required.</li> </ul>
Build Alternative			
No Build Alternative			



## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
3.15 COMMUNITY IMPACTS (SOCIAL, ECONOMIC) AND ENVIRONMENTAL JUSTICE			
Build Alternative	<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Positive effect for local and regional businesses because it would result in improved and safer access to businesses.</li> <li>Project would be consistent with planned growth within the Valencia Commerce Center.</li> <li>Acquisition of 15 RV spaces in Valencia Travel Village</li> </ul>	<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>The proposed project would not negatively affect local or regional employment, industry, or commerce or require the displacement of businesses.</li> <li>Project impacts to low-income and minority populations would not to be adverse.</li> <li>Reconstruction and realignment of the eastbound SR-126 off-ramp and Travel Village Frontage Road will require the permanent acquisition of approximately 15 recreational vehicle campsites or spaces within Valencia Travel Village.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> <li>No measures are required.</li> <li>CI-1 For right-of-way and acquisition of the 15 recreational vehicle spaces impacts, relocation assistance payments and counseling will be provided to persons and businesses in accordance with the Federal Uniform Relocation Assistance and Real Properties Acquisition Policies Act (as amended) and the California Government Code Chapter 16, Section 7260, et seq. (State Uniform Relocation Act) to ensure adequate relocation and a decent, safe, and sanitary home for displaced residents. All eligible displacees will be entitled to moving expenses, and all benefits and services will be provided equitable to all residential and business relocatees without regard to race, color, religion, age, national origins and disability as specified under Title VI of the Civil Rights Act of 1964.</li> </ul>
No Build Alternative		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>No adverse effects on local population and housing are expected to result.</li> <li>No impact on social, economic, and environmental justice issues.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
<b>3.16 Utilities/ Emergency Services</b>			
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Proposed project will not displace any existing utilities, and no emergency facilities would be directly affected.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Emergency services could experience temporary, short-term traffic delays during construction.</li> </ul>	<ul style="list-style-type: none"> <li>A TMP will be implemented to minimize impacts to emergency services.</li> </ul>
No Build Alternative		<ul style="list-style-type: none"> <li>No utilities/ emergency services impact.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
<b>3.17 Traffic Transportation/ Pedestrians and Bicycle Facilities</b>			
Build Alternative	<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Project would prevent deficient roadway and intersection operations that would result from the buildout of planned development.</li> </ul>	<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>Proposed project would not pose any impacts.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Sections of SR 126, Commerce Center Drive, and Henry Mayo Drive may be temporarily closed to allow specific construction activities to occur.</li> </ul>	<ul style="list-style-type: none"> <li>A TMP will be implemented to mitigate the impact construction activities will have on freeway and roadway users.</li> </ul>
No Build Alternative		<ul style="list-style-type: none"> <li>Existing roadway network cannot accommodate the buildout of the planned development based upon the forecasted traffic volumes.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>

## IMPROVEMENT PROJECT AND ENVIRONMENTAL EVALUATION: SUMMARY OF EFFECTS\*

Alternatives with Design Variations	Beneficial Effects	Potential Impact	Measures to Minimize Harm
<b>3.18 Visual/ Aesthetics</b>			
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>The proposed project would not change the scenic environment, would not obstruct the view of any scenic vista, or create an aesthetically offensive site, and is not within a visually sensitive setting.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
No Build Alternative		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Disruption of the natural environment surrounding the project area.</li> <li>No visual/ aesthetic impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Area would be revegetated.</li> <li>No measures are required.</li> </ul>
<b>3.20 Archaeological Resources</b>			
Build Alternative		<u>Permanent Impacts:</u> <ul style="list-style-type: none"> <li>No cultural and historical resources exist in the project area.</li> </ul>	<ul style="list-style-type: none"> <li>No measures are required.</li> </ul>
No Build Alternative		<u>Temporary Impacts:</u> <ul style="list-style-type: none"> <li>Project related construction activities may unearth cultural remains and/or artifacts.</li> <li>No archaeological resource impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Site will be protected until it can be evaluated by a qualified archeologist.</li> <li>No measures are required.</li> </ul>

\* None found for Sections: 3.2 Hazardous Materials; 3.5 Energy; 3.11 Coastal Zone; 3.12 Wild and Scenic Rivers; and 3.19 Historical



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## **List of Technical Studies that are Bound Separately**

Air Quality Report

Noise Study Report

Natural Environment Study

Location Hydraulic Study

Historical Property Survey Report

- Historic Study Report
- Historic Resource Evaluation Report
- Historic Architectural Survey Report
- Archaeological Survey Report

Hazardous Waste Reports

- Initial Site Assessment
- Preliminary Site Investigation

Traffic Study



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## List of Abbreviated Terms

ACM	asbestos-containing material
ADT	average daily traffic
APE	Area of Potential Effects
BACM	Best Available Control Measures
BMP	Best Management Practice
BO	Biological Opinion
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CCA	California Coastal Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
cfs	cubic feet per second
cms	cubic meters per second
CNDDDB	California Natural Diversity Data Base
CNPS	California Native Plant Society
CO	carbon monoxide
dB	decibel
dBA	decibel A-rated
dm	decimeter
DOA/NRCS	Department of Agriculture/Natural Resources Conservation Service
DRP	County of Los Angeles Department of Regional Planning
DTSC	State of California Department of Toxic Substances Control
EA	Environmental Assessment
EIR/EA	Environmental Impact Report/Environmental Assessment
EIS/EIR	Environmental Impact Statement/Environmental Impact Report
EPA	U.S. Environmental Protection Agency
EMFAC	Emission Factor Program for California
ESA	Endangered Species Act
ESU	Evolutionary Significant Unit
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FPPA	Farmland Protection Policy Act
FTIP	Federal Transportation Improvement Program
HASR	Historic Architectural Survey Report
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HGM	hydrogeomorphic method
HHS	U.S. Department of Health and Human Services
HPSR	Historic Property Survey Report

## *List of Abbreviated Terms*

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I	Interstate
ICU	intersection capacity utilization
IS	Initial Study
ISA	Initial Site Assessment
IS/EA	Initial Study/Environmental Assessment
km	kilometer
KP	kilometer post
LACDPW	Los Angeles County Department of Public Works
LACMTA	Los Angeles County Metropolitan Transportation Authority
Ldn	day-night noise level
Leq	equivalent steady-state sound level (which in a stated period of time would contain the same acoustical energy as the time-varying sound level during the same period)
LESA	Land Evaluation and Site Assessment
LOS	Level of Service
MEP	maximum extent practicable
mg/L	milligrams per liter
Mi	Mile(s)
mm	millimeter
MOU	Memorandum of Understanding
msl	mean sea level
MTA	Los Angeles Metropolitan Transportation Authority
MVM	million vehicle miles
NAAQS	National Ambient Air Quality Standards
ND/FONSI	Negative Declaration/Finding of No Significant Impact
NEPA	National Environmental Policy Act
NES	Natural Environment Study
Newhall Land	Newhall Land and Farming Company
NHS	National Highway System
NMFS	National Marine Fisheries Service
NOx	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NPPA	Native Plant Protection Act
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NRMP	Natural River Management Plan
NWS	National Weather Service
O <sub>3</sub>	ozone
OSHA	Occupational Safety and Health Act
PDT	Project Development Team
PEER	Preliminary Environmental Evaluation Report
PM	post mile
PM <sub>10</sub>	respirable particulate matter with a diameter less than 10 micrometers
ppm	parts per million
PS&E	plans, specifications, and estimates
PSI	Preliminary Site Investigation
PSR	Project Study Report



RCPG	Regional Comprehensive Plan and Guide
ROC	reactive organic compounds
ROG	reactive organic gas
ROW	right-of-way
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RV	recreational vehicle
RWQCB	Regional Water Quality Control Board
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCVCTM	Santa Clarita Valley Consolidated Transportation Model
SEA	Significant Ecological Area
SHELL	State Highway Extra Legal Load
SHPO	State Historic Preservation Officer
SI	Site Investigation
SIP	State Implementation Plan
SNA	Significant Natural Area
SO <sub>2</sub>	sulfur dioxide
SR	State Route
SSP	Standard Special Provisions
STIP	State Transportation Improvement Program
SCVCTM	Santa Clarita Valley Consolidated Transportation Model
SWDR	Storm Water Data Report
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TASAS	Traffic Accident Surveillance and Analysis System
TDS	total dissolved solids
TIP	Transportation Improvement Program
TMP	Traffic Management Plan
TSM	Transportation Systems Management
µg/m <sup>3</sup>	micrograms per cubic meter
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tank
v/c	volume-to-capacity ratio
vphpl	vehicles per hour per lane
VRL	Verification Request Letter
WPCP	Water Pollution Control Program



# **Chapter 1 Purpose and Need**

---

## **1.1 Project Purpose**

The Newhall Land and Farming Company (Newhall Land, formerly the Valencia Company), in conjunction with the Federal Highway Administration (FHWA), the California Department of Transportation (Caltrans), and the County of Los Angeles, proposes to construct a grade-separated interchange at the existing, signalized intersection of State Route (SR) 126 and Commerce Center Drive. The proposed project is located northwest of the City of Santa Clarita in Los Angeles County (Figure 1.1-1). The project is between kilometer post (KP) R6.8 and R9.2 (post mile [PM] R4.2 to R5.7) on SR 126 (Figure 1.1-2).

As part of the Build Alternative, SR 126 would be realigned to the south over a recently constructed embankment; and full access on- and off-ramps would be constructed on both sides of the freeway. An overpass structure for SR 126 would be constructed over Commerce Center Drive on an existing embankment. In addition, the Build Alternative would also result in the reconfiguration of the Commerce Center Drive/Henry Mayo Drive intersection to the south of its existing location to meet the Caltrans intersection spacing standards. All associated river bank protection measures (i.e., rip-rap and soil slope stabilization) to the Santa Clara River would be provided consistent with the approved Natural River Management Plan (NRMP) (John M. Tettemer & Associates, March 1997).

The project is intended to achieve the following objectives:

- Improve local access and traffic circulation
- Mitigate traffic impacts from the approved Valencia Commerce Center project
- Incorporate planned infrastructure improvements consistent with local and regional planning efforts
- Enhance driver safety
- Accommodate planned growth within the study area

Specifically, implementation of the project would improve levels of service (LOS) at SR 126/Commerce Center Drive, reduce vehicular travel time in the project vicinity, and meet the economic demand for access to the Valencia Commerce Center.

The project is located within Segment 3 of the NRMP and the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the 404 Permit and 1603 Streambed Alteration Agreement for Portions of the Santa Clara River and its Tributaries (USACE,

1997). Segment 3 is also known as the “Magic Mountain” segment and includes a 5.6 kilometers (km) (3.5-mile) -long reach of the Santa Clara River, from Interstate 5 (I-5) to the confluence of the river with Castaic Creek, and a 0.5 km (0.3-mile)-long reach of Castaic Creek from its confluence with the river to SR 126.

Nine new bridges have been analyzed in the NRMP and the EIS/EIR for its 404 Permit and 1603 Streambed Alteration Agreement. One of the new bridges is the Commerce Center Drive Bridge across the Santa Clara River (see Figure 1.1-3 NRMP Elements). This new bridge would connect Commerce Center Drive at its terminus with Henry Mayo Drive, to Magic Mountain Parkway on the south side of the river. Although the Commerce Center Drive Bridge over the Santa Clara River is not a part of this project, the proposed interchange would eventually facilitate traffic from future planned land uses in the project vicinity that would cross the Santa Clara River.

## **1.2 Project Need**

The discussion below focuses on the deficiencies of the existing conditions, constraints in the capacity of the existing signalized intersection, accident rates in the project vicinity, and the potential traffic impacts of future planned land use projects.

### **1.2.1 Operational Deficiencies**

SR 126 is part of the State Freeway and Expressway system. SR 126 extends west from its interchange with I-5 and terminates at U.S. 101 in the City of Ventura. This highway is a major access route between I-5 and coastal Ventura County. The westernmost end of SR 126 (from SR 150 to U.S. 101) is constructed as a fully functional freeway with grade-separated interchanges, but the remainder of the route consists of a four-lane highway in semirural terrain. Caltrans recently upgraded and widened this section of SR 126 to a four-lane facility (from I-5 to the Ventura County line).

Prior to November 2002, SR 126 continued east of I-5 at the Magic Mountain Parkway interchange. This portion of then SR 126 was commonly known as Magic Mountain Parkway and originated from the I-5/Magic Mountain Parkway interchange approximately 3.2 km (2.0 miles) south of the I-5/SR 126 interchange (Figure 1.1-2). The City of Santa Clarita has plans to construct Newhall Ranch Road east of the I-5/SR 126 interchange as an arterial roadway, as described in Section 2.4.

The following is a list of some of the recently constructed Caltrans improvements to SR 126 in the project vicinity:

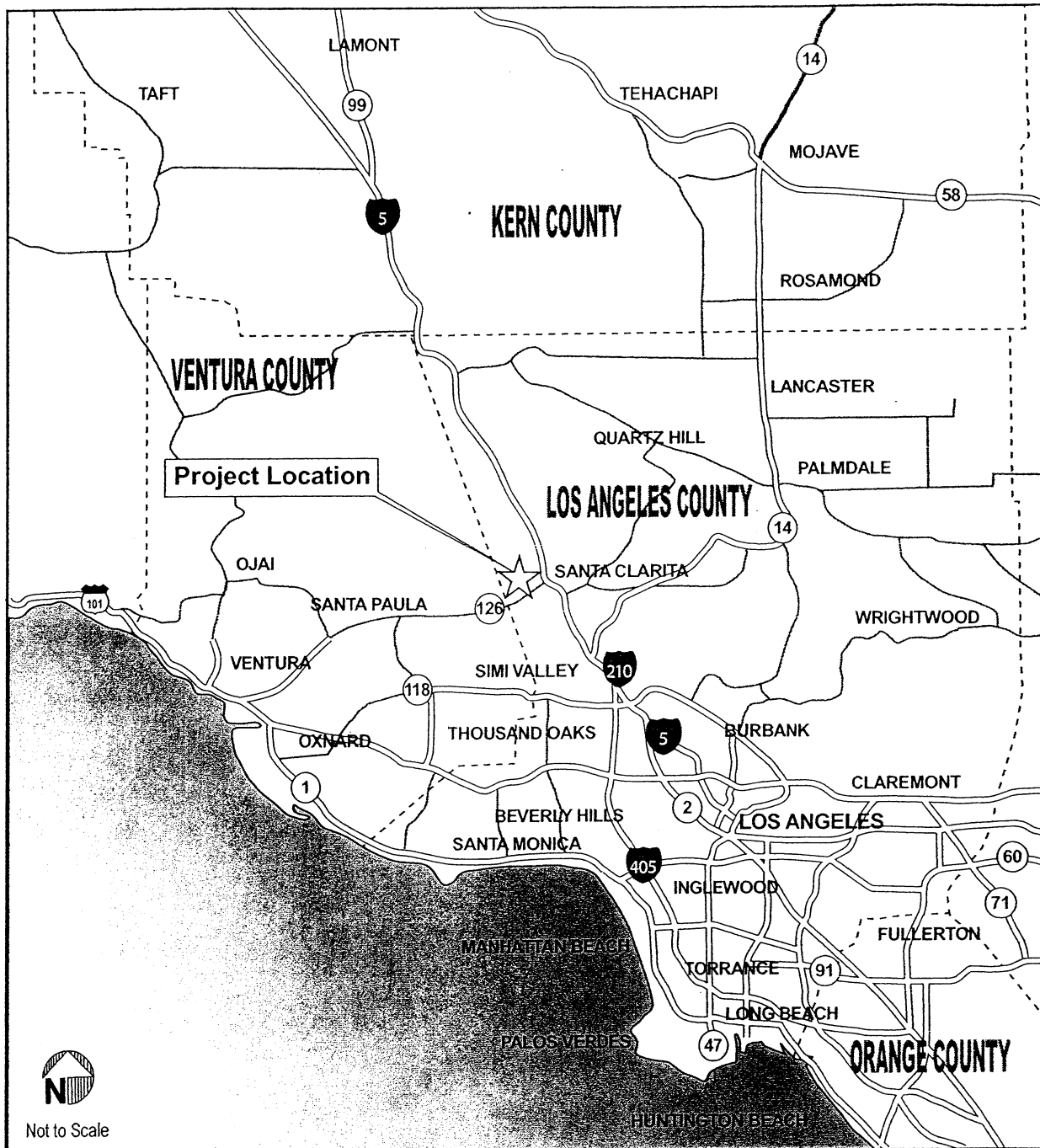
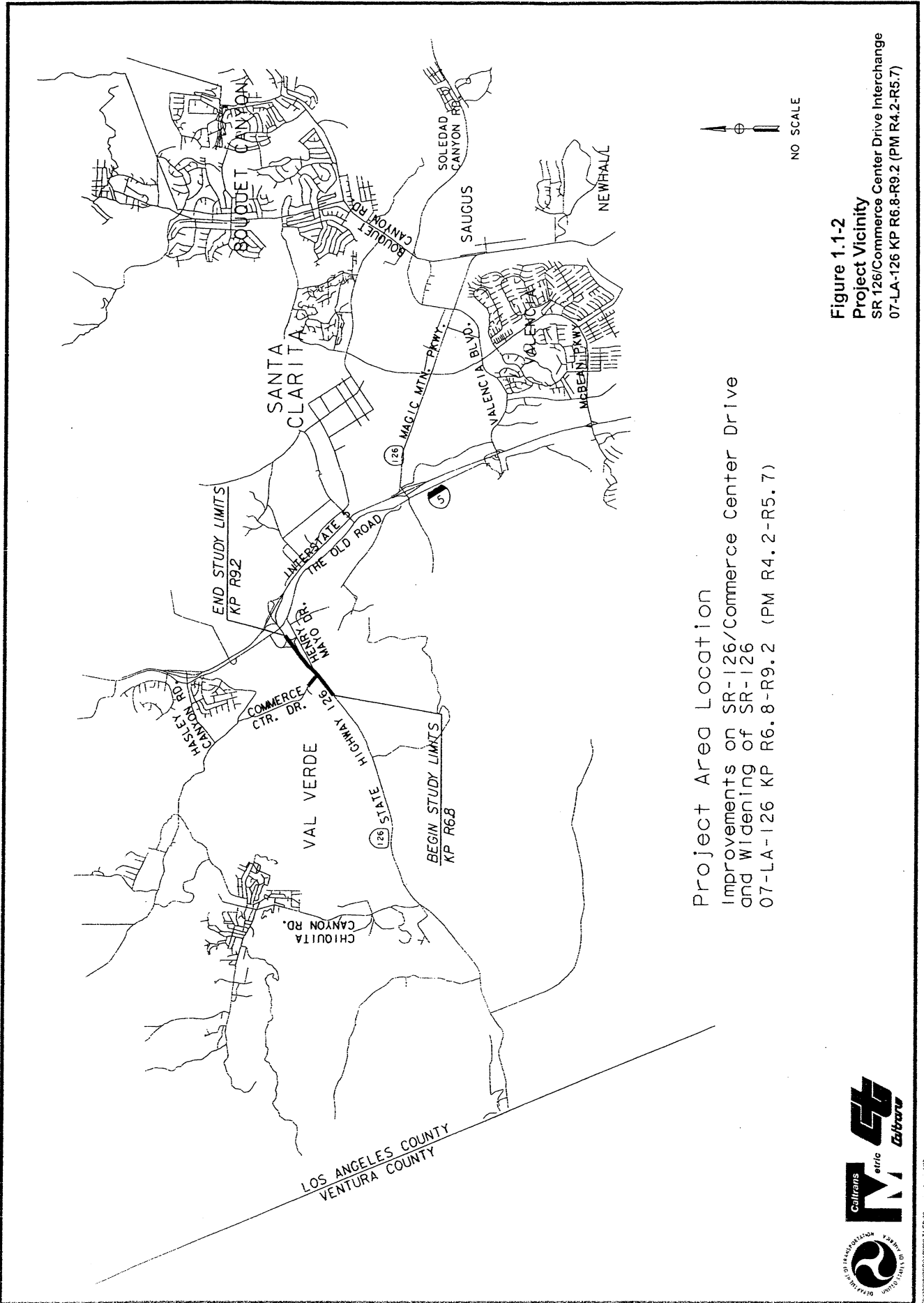


Figure 1.1-1  
Regional Location Map  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)











- Realignment of SR 126 to the north and the construction of an embankment to the south of the existing SR 126/Commerce Center Drive intersection to accommodate a future grade-separated interchange at Commerce Center Drive.
- The extension of Commerce Center Drive southward to intersect with SR 126 at a signalized “T” intersection.
- Realignment of both SR 126 and Henry Mayo Drive. Not only was this necessary to minimize impacts to the environmentally sensitive areas of Castaic Creek to the north and Santa Clara River to the south, but it also allows for appropriate spacing between the intersections along Commerce Center Drive at Hancock Lane (future intersection), SR 126 westbound ramps (part of Build Alternative), and Henry Mayo Drive.

These improvements have temporarily rectified the existing design and operational deficiencies experienced by SR 126. However, by 2025, the Santa Clarita Valley is anticipated to experience a considerable increase in traffic from both regional and inter-regional growth, as well as buildout of local developments. Such developments include the Valencia Commerce Center (Section 2.4.1) and the Newhall Ranch development (Section 2.4.3).

At its buildout, the Valencia Commerce Center will be a 1.2 million-square-meter (12 million-square-foot) employment center north of SR 126 at Commerce Center Drive. This development would add approximately 110,000 trips per day, a majority of which would be served by SR 126 and the SR 126/Commerce Center Drive intersection. The Newhall Ranch development would be constructed as a master-planned community. This project would add approximately 350,000 trips per day, with many of those using the SR 126 corridor and the SR 126/Commerce Center Drive intersection.

Due to the increase in local development and regional and inter-regional growth, the future operations of SR 126 and the SR 126/Commerce Center Drive intersection will be deficient.

### **1.2.2 Capacity Constraints**

The capacity constraints of the SR 126 corridor and adjacent arterials, particularly the SR 126/Commerce Center Drive intersection, are detailed in this section. Existing (2002) average daily traffic (ADT), a.m. and p.m. peak-hour volumes<sup>1</sup> for the SR 126 corridor, adjacent arterials, and the SR 126/Commerce Center Drive intersection are shown in Figure 1.2-1.

<sup>1</sup> Peak-hour traffic volumes are generally collected during the 7:00 a.m. to 9:00 a.m. peak commute period, and the 3:00 p.m. to 6:00 p.m. peak commute period.

An intersection capacity utilization (ICU) analysis was conducted for the SR 126/Commerce Center Drive intersection. ICU values are typically expressed as volume-to-capacity ratios (v/c), and reported in grades of LOS. Table 1.2-1 provides a description of the various LOS values and v/c ratios.

**Table 1.2-1. Levels of Service**

LOS	Volume/Capacity (V/C) Ratio	Maximum Density (Cars/Mile/Lane)	Description
A	0.00 to 0.60	10	Free flow operation. The ability to maneuver is almost completely unimpeded.
B	0.61 to 0.70	16	Reasonably free-flow operation. The ability to maneuver is only slightly restricted.
C	0.71 to 0.80	24	Near free-flow operation. The freedom to maneuver is noticeably restricted.
D	0.81 to 0.90	32	Speeds begin to decline. The freedom to maneuver is more noticeably limited.
E	0.91 to 1.00	39.3	Operation is at capacity. There is very limited room to maneuver.
F	Above 1.00	—	Breakdown in vehicular flow.

Source: Austin-Foust Associates, 2003

Based on the ICU analysis, SR 126/Commerce Center Drive currently operates with acceptable levels of service in both peak hours (LOS A, 0.46 v/c, in the a.m. peak hour, and LOS B, 0.68 v/c, in the p.m. peak hour).

However, build out of land uses planned along Commerce Center Drive and other area developments is scheduled to occur by 2025. This would dramatically increase the traffic volumes in the study area. Traffic-volume forecasts for the 2025 horizon year were extracted from the most current and approved traffic model runs from the Santa Clarita Valley Consolidated Traffic Model (SCVCTM), managed jointly by the County of Los Angeles Public Works Department and the City of Santa Clarita. Model volumes from the 2025 No Build Alternative (Figure 1.2-2) indicate that the p.m. peak-hour traffic volumes on southbound Commerce Center Drive approaching SR 126 are forecast to be approximately 2,200 vehicles. The a.m. peak-hour volume on westbound SR 126 to northbound Commerce Center Drive is forecast to be approximately 1,400 vehicles, with a p.m. peak-hour volume of approximately 400 vehicles at the same location.

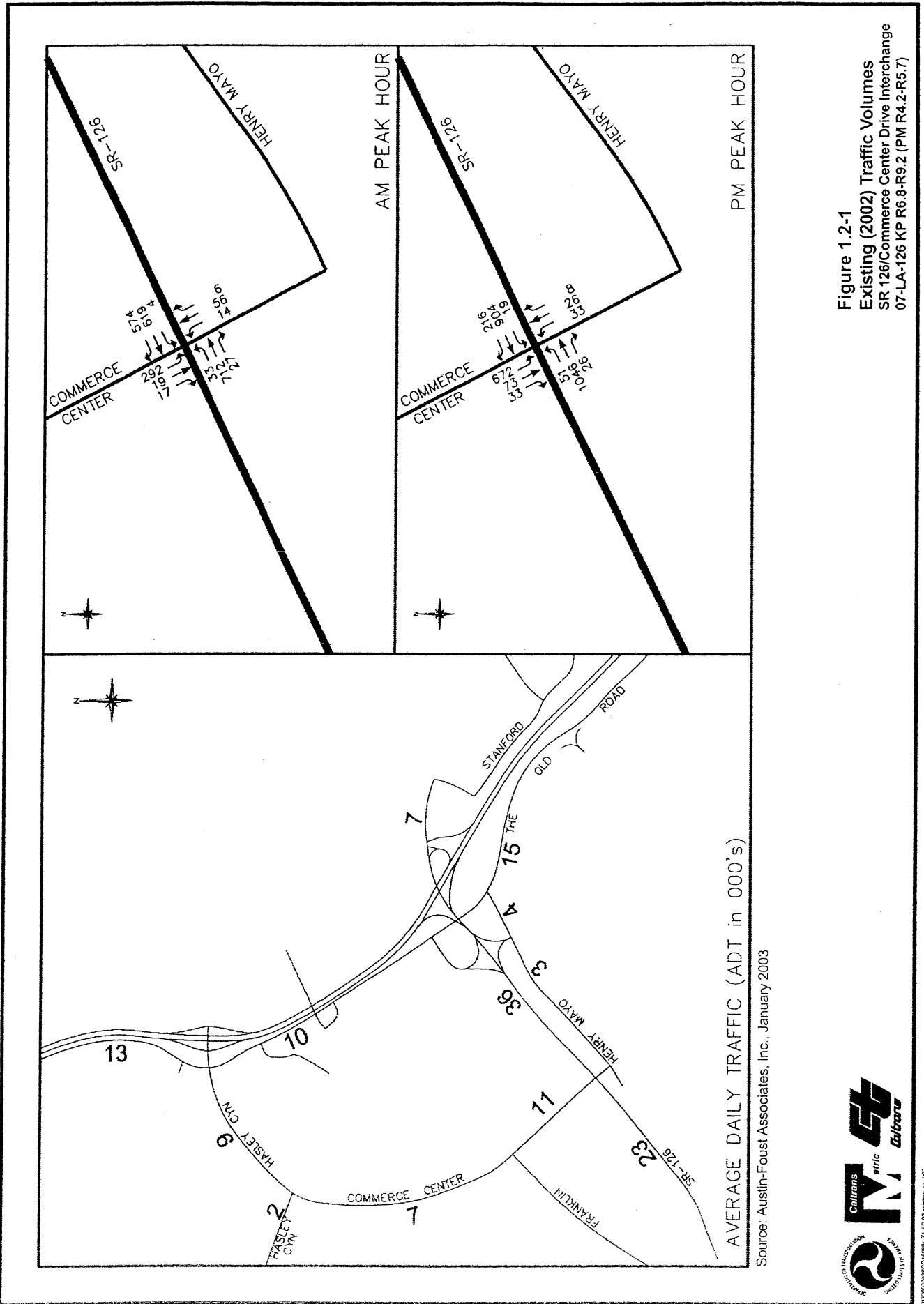


Figure 1.2-1  
Existing (2002) Traffic Volumes  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



Future 2025 without-project ICU values for the Commerce Center Drive intersections at the future Hancock Lane, the SR 126 westbound ramps, and Henry Mayo Drive have been calculated. This ICU analysis indicates that SR 126/Commerce Center Drive is forecast to operate at LOS F in the a.m. peak hour (1.31 v/c), and LOS F in the p.m. peak hour (1.40 v/c) (See Table 1.2-2 below). In addition, the forecast p.m. peak-hour eastbound directional volume on SR 126 between Commerce Center Drive and I-5 is approximately 3,900 vehicles, which is almost the capacity of the two eastbound lanes (4,000 vehicle capacity for two lanes). The configuration of the existing roadway network would not be able to accommodate the buildout of the planned developments based upon the forecast traffic volumes.

**Table 1.2-2 ICU Summary**

Intersection	Existing		Year 2025 No-Project		Year 2025 With-Project	
	AM	PM	AM	PM	AM	PM
Commerce Ctr & Henry Mayo	NA	NA	0.78	0.62	0.81	0.73
Commerce Ctr & SR-126 WB Ramp	NA	NA	NA	NA	0.83	0.65
Commerce Ctr & Hancock	NA	NA	0.90	0.74	0.90	0.74
Commerce Ctr & SR-126	0.46	0.68	<b>1.31</b>	<b>1.40</b>	N/A	N/A

Level of Service Ranges: .00 - .60 A

.61 - .70 B

.71 - .80 C

.81 - .90 D

.91 - 1.00 E

Above 1.00 F

NA = Not Applicable, Intersection does not exist for that scenario

Source: Austin-Foust Associates, 2003

### 1.2.3 Accident Analysis

Caltrans Traffic Accident Surveillance and Analysis System (TASAS) accident rates within the project area were compared to the statewide average (expected) accident rates for similar facility types. These data include accidents from the most recent available 3-year period (April 1, 1999 to March 31, 2002). These rates were taken from the TASAS data, and are summarized in Table 1.2-3. As shown below, the actual rate of injurious and fatal accidents along SR 126 is higher than what is expected for a similar type of facility.

Construction of the proposed improvements along SR 126 would be expected to reduce vehicular weaving conflicts between vehicles merging to and from SR 126 between Commerce Center Drive and I-5 and improve mainline operations, thereby reducing the potential for accidents on SR 126.

**Table 1.2-3. Accident Rates for Selected Locations of the Study Area**

Route Segment	Actual Total		Actual Fatality (F)		Injury and Fatality (F+1)	
	Actual	Statewide Average	Actual	Statewide Average	Actual	Statewide Average
SR 126 from Commerce Center Drive to the I-5 interchange	0.75	0.64	0	0.022	0.19	0.29

\* Fatality rates are per 100 million vehicle miles (MVM). The top line represents actual accident rates in the project area, while the bottom line represents statewide average statistics.

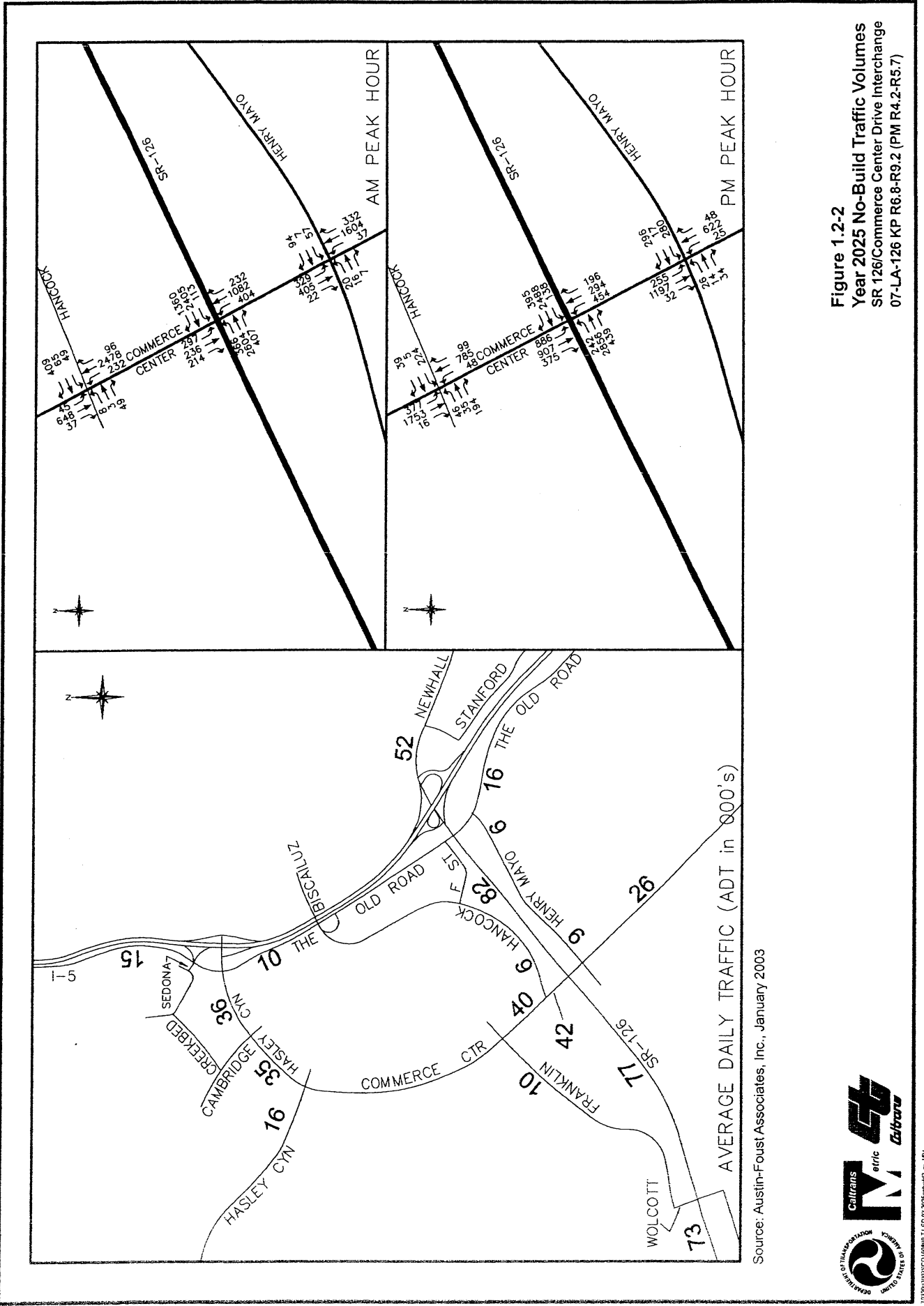
Source: TASAS Table "B" dated January 22, 2003

## 1.3 Project Background

### 1.3.1 History of the Planning Process

The SR 126/Commerce Center Drive interchange project was initiated with a Project Study Report (PSR) (CH2M HILL, 1999a). The PSR is a project initiation document that is required for all major projects before they are included in a state or local programming document such as the State Transportation Improvement Program (STIP). The outcome of the project initiation process is a project scope tied to a preliminary cost estimate and schedule, which are necessary for proceeding to the environmental evaluation and project alternative selection phase.

A combined PSR, which also included the I-5/SR 126 interchange, was approved by Caltrans on May 5, 1999. A Preliminary Environmental Evaluation Report (PEER) (CH2M HILL, 1999b) and hazardous waste Initial Site Assessment (ISA) (CH2M HILL, 1999c) were prepared concurrently with the PSR to identify the environmental issues and anticipated environmental impacts of the Build Alternative. Since that document was approved, the interchange projects were separated into two projects, I-5/SR 126 Interchange and SR 126/Commerce Center Drive Interchange because each project has distinct logical termini and each has independent utility from the other. In addition, the interchange projects were separated into two projects for funding purposes, to be consistent with adjacent land use development (Valencia Commerce Center and Newhall Ranch residential development), and so both projects would have independent utility.







SR 126 (now Magic Mountain Parkway-San Fernando Road, between Tourney Road and SR 14) was relinquished on October 17, 2002. Magic Mountain Parkway, between I-5 and Tourney Road, will be relinquished upon completion of Phase III of the Magic Mountain Parkway/I-5 Interchange project.

### **1.3.2 Other Relevant Documents**

There are several planned and ongoing projects within the vicinity of the proposed project. These projects, described in Section 2.4, have separate environmental documents that evaluate the environmental impacts affecting the same general area as the proposed project. These studies were reviewed, and relevant information has been incorporated into this document. All relevant documents are listed in Chapter 8 (References).

### **1.3.3 Natural River Management Plan**

In an effort to streamline the 404/1603 permitting process for the Santa Clara River and San Francisquito Creek, the U.S. Army Corps of Engineers (USACE) and California Department of Fish and Game (CDFG) met with the major landowner in the area, Newhall Land, to write a plan that would address cumulative impacts on these drainages for the next 20 years. The NRMP was written to develop standard measures to minimize harm for all work that would occur in these drainages. The NRMP analyzed impacts that would result from the proposed development of Newhall Land's projects and similar projects. Any project that is consistent with the mitigation measures in the NRMP can operate under the 404/1603 permit issued to Valencia Company, now Newhall Land. The project construction boundaries would be consistent with the projects considered under the NRMP. The following is a summary of the Record of Decision for the 404 permit issued to Newhall Land on December 17, 1998 (USACE, 1998).

Approval of the NRMP included conditions that require each individual project component constructed over the life of the permit to pass through a preconstruction verification process prior to project implementation. A Verification Request Letter (VRL) must be submitted to the USACE that contains: vegetation type boundaries at the project site; anticipated biological impacts; limits of construction disturbance; need for stream diversions; any pertinent environmental protection measures; statement on the consistency with the NRMP and 404 permit; and compliance with environmental protection measures for threatened and endangered species, water quality, and riparian habitats.

The NRMP covers approximately 485.6 hectares (1,200 acres) and includes the South Fork of the Santa Clara River, the mouth of Bouquet Creek, San Francisquito Creek, and the

mainstream of the Santa Clara River from the Los Angeles Aqueduct crossing to the Castaic Creek confluence. The NRMP was proposed by Newhall Land, and most elements of this plan will be carried out on land owned primarily by Newhall Land. However, other private entities or public agencies may use the 404 permit issued to Newhall Land, and may construct elements of the NRMP. The 404 permit also includes routine maintenance activities to be carried out by the Los Angeles County Department of Public Works (LACDPW) and/or the City of Santa Clarita under the permit issued to Newhall Land. The SR 126/ Commerce Center Bridge project would be covered by the 404 permit as long as the proposed project and mitigation are consistent with the measures outlined in the NRMP.

Under the NRMP, eight new bridges, one replacement bridge, and six widened bridges will be completed over the next 15 to 20 years to accommodate existing and future traffic associated with continued development of the region. The total permanent effect on the riverbed areas associated with the installation and widening of the bridges is estimated to be approximately 8.9 hectares (22 acres). This acreage includes the “shadow” of the bridges. The actual riverbed habitat that would be permanently removed by the piers of the new and widened bridges will be approximately 0.4-hectares (1 acre).

The permit also covers bank protection features that will be installed along portions of the Santa Clara River, South Fork, and San Francisquito Creek for bridge abutments and various development projects under the NRMP, including commercial and industrial projects, to prevent bank erosion and flooding. A total of 24,735 meters (81,150 feet) of bank protection will be installed over the life of the permit. Bank protection features have been located to avoid encroachment into the riverbed wherever possible. Installation of bank protection will result in the loss of approximately 11.33 hectares (28 acres) of riverbed area. However, the NRMP will also result in a gain of about 39.3 hectares (97 acres) of potential new riverbed because 39.3 hectares (97 acres) of uplands will be lowered to the elevation of the riverbed and used to create new riverbed habitat for mitigation purposes. Hence, the NRMP could result in a net gain of 27.9 hectares (69 acres) of riverbed.

The alignment of the buried bank protection features has been designed to provide a buffer zone between future upland development and the riverbed habitats, to maintain an upland-riverine connection and shield fish and wildlife using the riverine habitats from indirect effects of adjacent land development. The buffer zone will be planted with upland species and managed for habitat and open space. Public trails will be located in the buffer zone along the landward edge. The width of the buffer zone will vary from 23 meters (75 feet) to 69 meters (225 feet), depending upon location. The buffer zone would encompass approximately 66.8 hectares (165 acres) over the entire project.

Newhall Land has also prepared a Drainage Water Quality Management Plan (Drainage Plan) for the NRMP. The Drainage Plan is a program to manage the quality of stormwater runoff from the construction phase through the life of the lands proposed for development under the NRMP. The Drainage Plan is intended to meet the requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit requirements established by the Regional Water Quality Control Board (RWQCB). The elements of the Drainage Plan include the use of Construction Best Management Practices (BMPs); preparation of Stormwater Pollution Prevention Plans (SWPPP) for all projects; use of permanent source control BMPs; and permanent treatment control BMPs in all areas of new development. The latter includes water quality filters, water quality wetlands, and soft-bottom channels to collect pollutants from the first flush of each storm before it enters the river. These facilities would be located outside the "Waters of the United States." The Drainage Plan will protect water quality and aquatic resources.

Under the NRMP, mature, dense vegetation under future channel conditions with the proposed bank protection will not require periodic removal to maintain the design capacity of the channel. Traditional, periodic vegetation removal will not be required under the NRMP. However, occasional removal of woody vegetation from storm drain outlets and at existing bridges will be required. The NRMP contains maintenance procedures to be followed by LACDPW that are designed to avoid impacts to endangered species and minimize impacts to riparian resources.

## **1.4 Required Coordination and Applicable Regulatory Requirements**

Caltrans is the state Lead Agency for this IS/EA under the California Environmental Quality Act (CEQA), and the FHWA is the federal Lead Agency under the National Environmental Policy Act (NEPA). In addition to direction provided by Caltrans and FHWA, ongoing project coordination has been provided through a Project Development Team (PDT). The PDT is composed of technical staff from Caltrans, FHWA, Los Angeles County, Newhall Land, and the CH2M HILL consultant team. The PDT continues to meet monthly throughout the course of the study to review progress, to exchange technical information, and to respond to new issues affecting the project.

Consultation and coordination with a variety of other agencies is required. Among these are:

- U.S. Department of Agriculture/Natural Resources Conservation Service (DOA/NRCS)
- U.S. Army Corps of Engineers (USACE)

- California Regional Water Quality Control Board (RWQCB)
- California Office of Historic Preservation
- Native American Heritage Commission
- U.S. Fish and Wildlife Service (USFWS)
- California Department of Fish and Game (CDFG)
- Southern California Association of Governments (SCAG)
- South Coast Air Quality Management District (SCAQMD)
- County of Los Angeles Department of Regional Planning (DRP)
- City of Santa Clarita Planning and Building Services

Construction of the Build Alternative may require state or federal permits, reviews, or approvals in addition to those required by local jurisdictions. These additional requirements fall mainly under the following statutes:

- Federal Endangered Species Act (FESA)
- California Endangered Species Act (CESA)
- National Historic Preservation Act
- Clean Water Act
- Native Plant Protection Act (NPPA)
- Department of Transportation, Section 4(f)
- Fish and Game Code

## **Chapter 2      Project Alternatives**

---

### **2.1      Alternative Development Process**

The proposed project is located in unincorporated Los Angeles County, California, northwest of the City of Santa Clarita. The project is between KP R6.8 and R9.2 (PM R4.2 to R5.7) on SR 126 (see Figure 1.1-2).

Four alternatives were studied in the PSR, including a no build alternative and three build alternatives (CH2M HILL, 1999a). Each of these alternatives included designs for an SR 126/Commerce Center Drive interchange, as well as the I-5/SR 126 interchange, located 1.5 km (0.9-mile) to the east. Since that document was prepared, the decision was made to split the interchange improvements into two separate projects because each project has distinct logical termini and each has independent utility from the other.

Prior to the preparation of the project PSR, the Newhall Land and Caltrans studied alternative locations for the proposed grade-separated interchange. Due to the high costs of relocating the SR 126/Commerce Center Drive intersection and the Valencia Commerce Center internal roadways need for large volumes of earth grading due to site topography, Caltrans concurred that the project alternatives would be analyzed for the existing intersection of SR 126/Commerce Center Drive. Subsequently, two of the three build alternatives were also eliminated during the PSR phase. The relocation of the intersection was also considered, but eliminated due to costs and access problems. The reasons for the elimination of some alternatives are discussed in Section 2.3 (Alternatives Considered and Withdrawn).

The estimated cost of this project is \$31.79 million for Alternative C, the Build Alternative. Through the Los Angeles County Metropolitan Transportation Authority's (MTA's) "Call for Projects," Newhall Land secured \$9.3 million in funding. The County of Los Angeles and/or its agents will be the responsible party for the construction and mitigation of impacts for this interchange project. Construction is expected to occur during normal weekday (7:00 AM to 7:00 PM) and some Saturdays (8:00 AM to 6:00 PM).

### **2.2      Project Alternatives**

Final selection of an alternative will not be made until after the full evaluation of environmental impacts, full consideration of public hearing comments, and approval of the final environmental document.

### **2.2.1 No Build Alternative**

This alternative assumes that no improvements are made along SR 126 and at the SR 126/Commerce Center Drive intersection beyond those already committed, funded, and expected to be in place by the year 2025. As such, this alternative has no construction or right-of-way costs associated with it.

SR 126 is a four-lane facility that meets Commerce Center Drive at a signalized, at-grade intersection. This intersection is part of recent improvements to Commerce Center Drive that also include the construction of a structure over Castaic Creek. The No Build Alternative assumes that the extension of Commerce Center Drive over the Santa Clara River to intersect with Magic Mountain Parkway would be funded and constructed by 2025.

The ICU analysis at the SR 126/Commerce Center Drive intersection shows that no improvements to the intersection would result in a LOS F by the year 2025, and traffic volumes along SR 126 would be almost equal to the capacity of the existing four-lane facility. Potential backups of traffic along SR 126 would have impacts on operations at the I-5/SR 126 interchange. As the proposed development along the corridor occurs, the No Build Alternative would result in increased congestion and delay, resulting in additional fuel consumption and vehicle emissions. The No Build Alternative (Figure 2.2-1) would not meet the project purpose and need, as discussed in Sections 1.1 and 1.2, for the following reasons:

- It would not accommodate future local circulation and access needs or alleviate congestion and capacity deficiencies.
- It would not be consistent with local and regional planning.
- It would not accommodate forecasted traffic volumes from approved developments. The increase in traffic from these developments would result in increases in traffic congestion and delay at the intersection of SR 126 and Commerce Center Drive in its current configuration. Additionally, the increase in traffic delay may also increase fuel consumption and vehicle emissions along SR 126.
- It would not enhance driver safety.

### **No Build Environmental Assessment**

As previously discussed, the No Build Alternative would not meet the project purpose and need. Pursuant to CEQA guidelines section 15126.6 (e) the No Build Alternative shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. Findings will be made regarding the impacts of the No Build Alternative in Chapter 3.

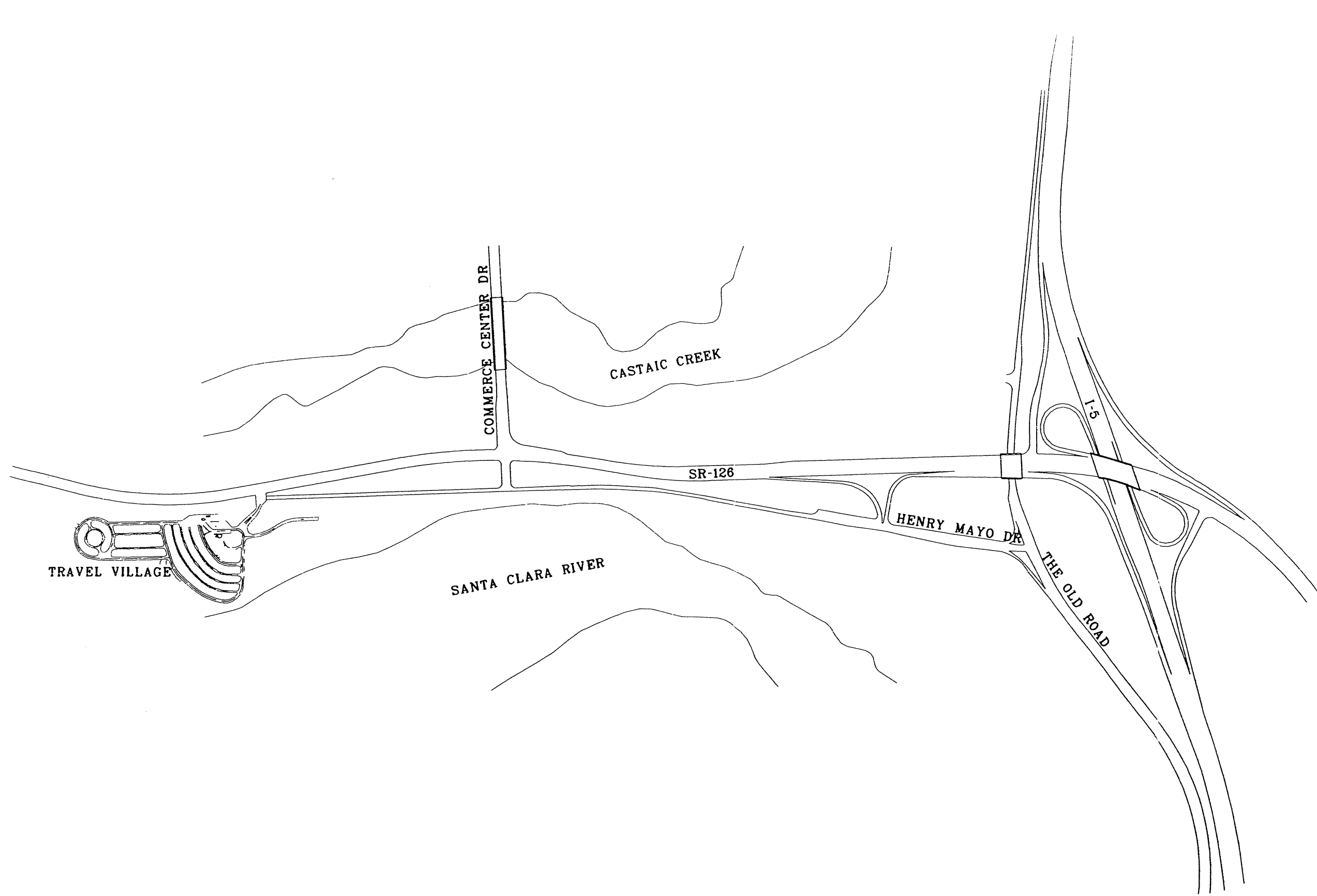


Figure 2.2-1  
 No-Build Alternative  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



In general, the impacts associated with the No Build Alternative would be similar, if not identical, to the existing environmental condition (see Affected Environment sections for each issue in Chapter 3). However, due to other factors such as growth in land uses outside the project area and future traffic forecasts, some environmental issues have been analyzed specifically for the No Build Alternative that may cause indirect impacts to the study area. A discussion of these indirect impacts and future traffic forecasts and indirect environmental impacts has been analyzed for the No Build Alternative in the following sections:

- Air Quality
- Noise
- Energy
- Traffic Transportation
- Biological Resources
- Cultural Resources

For all other topics, please refer to the discussion of the “Affected Environment” for the environmental impacts of the No Build Alternative.

### **2.2.2 Alternative C – Locally Preferred Alternative (Build Alternative)**

This alternative proposes a grade-separated interchange at the SR 126 and Commerce Center Drive intersection, with a new overpass structure for Commerce Center Drive over SR 126 (Figure 2.2-2). The new interchange would provide full movements for traffic between Commerce Center Drive and along eastbound and westbound SR 126.

The Build Alternative would provide westbound diamond ramps at Commerce Center Drive. The westbound SR 126 off-ramp to Commerce Center Drive would be widened from two to four lanes at the signalized Commerce Center Drive intersection to provide two left-turn lanes and two right-turn lanes. The two right-turn lanes would be signal-controlled to reduce potential weaving conflicts with the future Hancock Lane intersection. A two-lane on-ramp would be provided for the southbound Commerce Center Drive traffic onto westbound SR 126. These new ramps would utilize the existing pavement of SR 126, which minimizes throw-away construction and traffic impacts during construction.

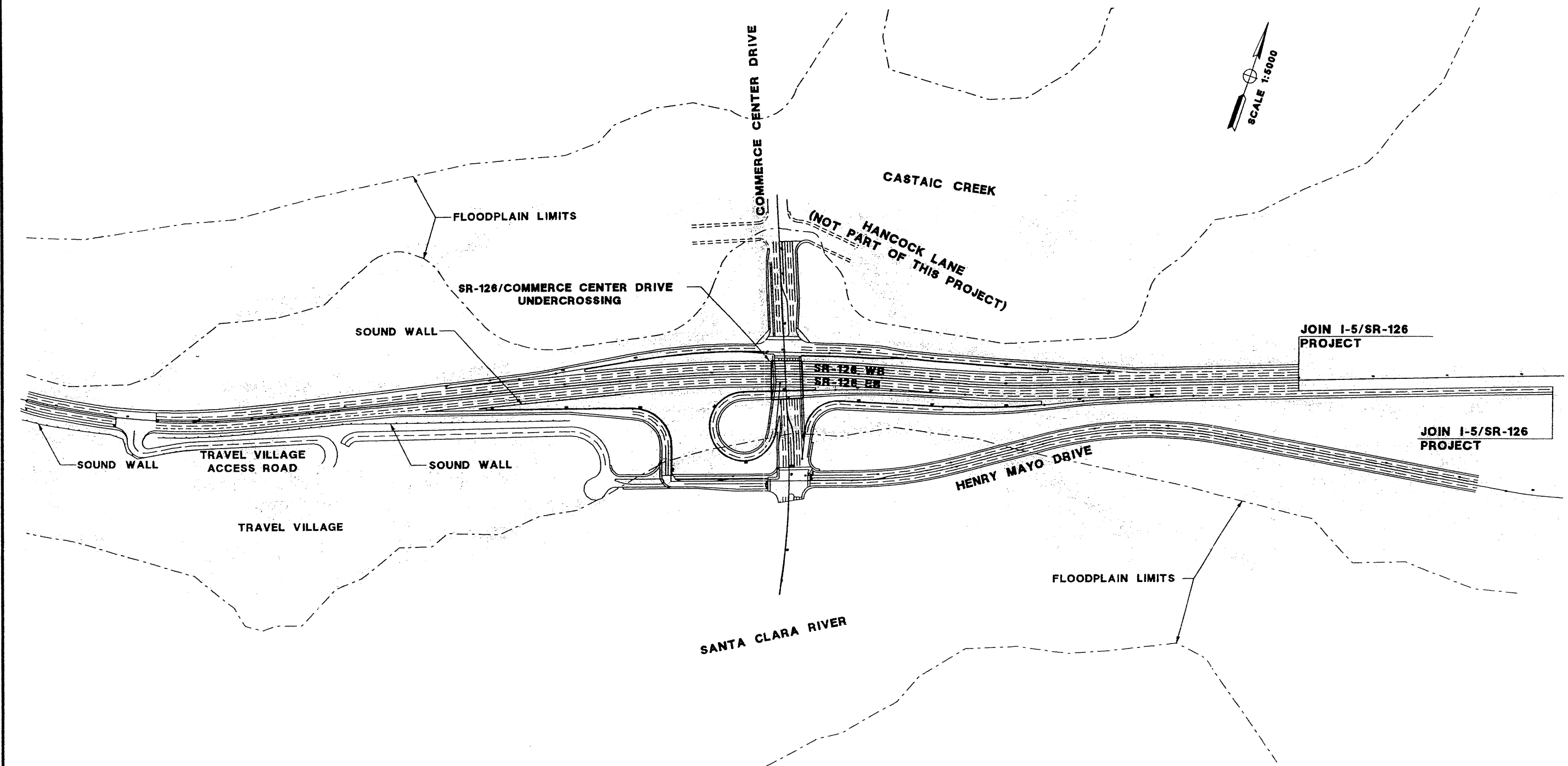
Two eastbound on-ramps would be provided from Commerce Center Drive. The first, a two-lane loop on-ramp, would be constructed from southbound Commerce Center Drive to eastbound SR 126 to accommodate the anticipated heavy traffic movements. The on-ramp would narrow to one lane and join SR 126 as the fourth lane in the eastbound direction. From northbound Commerce Center Drive, a two-lane diagonal on-ramp would be provided near

the intersection of Commerce Center Drive and Henry Mayo Drive. The on-ramp would narrow into one lane and join SR 126 as a fifth eastbound lane.

A one-lane off-ramp would be provided from eastbound SR 126 to Henry Mayo Drive. The off-ramp would widen to three lanes before the intersection with Henry Mayo Drive. As part of this project, the existing eastbound hook on- and off-ramps at SR 126 and Henry Mayo Drive, approximately 1.21 km (0.75-mile) east of SR 126/Commerce Center Drive, would be permanently removed. Vehicles currently using these ramps would be diverted west to the new interchange (i.e., proposed project).

From the SR 126/Commerce Center Drive intersection, SR 126 would be widened 850 meters (2,640 feet) to the west and then taper back down to join the existing roadway. To the east, SR 126 would be widened 1,040 meters (0.65-mile), where it would join the proposed improvements from the I-5/SR 126 interchange project. In the eastbound direction, SR 126 would be widened from two lanes to three lanes in advance of the on-ramps from Commerce Center Drive. In addition, a fourth and fifth lane would be added to eastbound SR 126 as the on-ramps from southbound and northbound Commerce Center Drive join SR 126. In the westbound direction, SR 126 would be widened from two lanes to four lanes in advance of the Commerce Center Drive off-ramp; and three lanes would continue through the interchange.

In addition to Commerce Center Drive and SR 126, improvements would also be made to Henry Mayo Drive. Currently, the State and County have joint rights over the portion of Henry Mayo Drive that intersects with the existing eastbound SR 126 hook ramps. This right-of-way of 810 square meters (8718.7 square feet) will be relinquished by the State to the County or Newhall Land due to the abandonment of the existing hook ramps as part of this project. As part of this alternative, Henry Mayo Drive would be realigned to the south and extended west to provide access to the Valencia Travel Village. This extension would provide access and reduce local trips on nearby I-5. Currently, access to the Valencia Travel Village is provided via a driveway directly from SR 126. Due to the extension of Henry Mayo Drive, access would no longer be required directly from SR 126; therefore, the driveway would be closed and used only for temporary emergency access. The relocation of the Valencia Travel Village driveway to Henry Mayo Drive from SR 126 would remove the turning movements of recreational vehicles (RVs) from SR 126 and provide improved free-flow operations on the mainline.



- LEGEND**
- FLOOD PLAIN
  - EXISTING ROADWAY
  - PROPOSED ROADWAY



Figure 2.2-2  
 Alternative "C"  
 Preferred Alternative  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)

The Santa Clara River to the south of SR 126 and Castaic Creek to the north are environmentally sensitive areas and considered major constraints in the design of the SR 126/Commerce Center Drive Interchange. The intersection of proposed Hancock Lane with Commerce Center Drive cannot be moved further north due to the conflicts with Castaic Creek. The alignment of SR 126 would be shifted to the south, and the intersection of Henry Mayo Drive with Commerce Center Drive would be shifted to the south into the Santa Clara River floodplain to provide the required intersection spacing. For purposes of this project, this intersection would serve as the new access to the Valencia Travel Village and the new eastbound on- and off-ramps, and would continue to serve as access to Henry Mayo Drive. The reconfiguration of the intersection will require additional fill that would serve as slope stabilization from approximately 15 meters (50 feet) south of the curb return of the intersection. The fill would be comprised of riprap and soil-cement only. All associated river bank protection measures (i.e., riprap) to the Santa Clara River would be provided consistent with the approved NRMP.

A proposed bridge is planned for development at Commerce Center Drive across the Santa Clara River and connects to Magic Mountain Parkway. The design of the slope stabilization/fill for the reconfigured Commerce Center Drive/Henry Mayo Drive intersection facilitates the construction of the northern portion of the bridge. However, the year 2025 traffic assignment includes this improvement; and the intersection lane configuration has been designed accordingly. The proposed SR 126/Commerce Center Drive interchange would facilitate traffic from future planned land uses in the project vicinity (Valencia Commerce Center and Newhall Ranch) that would cross the Santa Clara River.

The Build Alternative would address the purpose and need of the project in the following areas:

- It would be consistent with local and regional planning by accommodating local circulation and access needs.
- It would alleviate congestion and capacity deficiencies.
- It would accommodate the forecasted area buildout and the resulting increases in traffic volumes.

Alternative C is the preferred alternative due to overall safety (see Draft Project Report), operational benefits, and feasibility of construction.

### 2.2.3 Relationship to State, Regional, and Local Transportation Planning

The Build Alternative is identified in the approved 2001 Regional Transportation Plan (RTP) prepared by Southern California Association of Governments (SCAG). Similarly, this project is identified in the federally approved 2004/2005 to 2009/2010 Regional Transportation Improvement Program (RTIP).<sup>1</sup> Therefore, this project has also been included in the 2004 Federal Transportation Improvement Program (FTIP). The project identification number on the RTIP is LA0C8099, model number L269, and it is described as:

SR-126/COMMERCE CTR DR NEW IC. CONSTRUCT A PARTIAL CLOVERLEAF, GRADE SEPARATED IC AND WIDEN ST 126 FROM 0.76 KM EAST OF IC TO 0.85 KM WEST 4-6 LANES. (2001 CFP 8099) (PPNO# 3118).

### 2.2.4 Transportation Systems Management

Transportation Systems Management (TSM) is a series of methods to lessen the negative impacts associated with traffic by maximizing the efficiency of existing transportation facilities. One possible activity for the project location is the optimization of signal timing of the existing traffic signal. These types of activities can be implemented with the Build Alternative to greatly improve efficiency in operations in the future.

The primary purpose of the proposed project is to accommodate planned growth in the study area by ensuring adequate highway capacity, and improved local access and traffic circulation. (Chapter 1, Purpose and Need). A TSM alternative directly related to the construction of the proposed interchange would not increase the ability of SR 126 to accommodate regional pass-through traffic and local traffic destined to adjacent planned land uses.

Travel through the existing SR 126/Commerce Center Drive intersection is largely a function of existing and planned land uses in the area. As such, there are limited opportunities to utilize TSM tools through the project to reduce the travel demand. One opportunity, to maximize the efficiency of the existing roadway infrastructure (existing geometrics, signal control, etc.), has been analyzed as the 2025 No Build Alternative in this report. However, as shown in the traffic analysis, forecast traffic volumes and levels of service associated with planned land uses in the study area would be at a level high enough to justify the reconfiguration of the existing at-grade intersection to a grade-separated interchange (Chapter 1, Section 1.2.1, Operational Deficiencies).

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<sup>1</sup> Southern California Association of Governments. *Final 2004 Regional Transportation Improvement Plan (RTIP) (FY 2004/2005-2009/2010) – State Highway Projects*.

Because this alternative would not result in physical improvements to the existing at-grade intersection, the TSM alternative: (1) would not provide for adequate highway operations along SR 126 upon buildout of planned land uses, (2) would not provide for safety improvements at an intersection forecast to operate at LOS F, and (3) would not accommodate planned land use growth in the project area. Therefore, the TSM alternative has been dropped from further consideration.

## **2.3 Alternatives Considered and Withdrawn**

Four alternatives for the SR 126/Commerce Center Drive interchange project were studied in the PSR (CH2M HILL, 1999a), including the No Build Alternative and three build alternatives. The two eliminated build alternatives are discussed below.

### **2.3.1 Alternative A – Buttonhook Ramp Concept**

This alternative (Figure 2.3-1) is very similar to Alternative C – Build Alternative. However, Alternative A would have provided a hook on-ramp at the Commerce Center Drive/Henry Mayo Drive intersection, as compared with a loop on-ramp included in the design of the Build Alternative. This alternative is estimated to cost approximately \$39.12 million. However, this concept was eliminated due to operational considerations, such as a high risk of wrong way movements and proximity of the hook on-ramp to the Commerce Center Drive/Henry Mayo Drive intersection. The substandard spacing between the eastbound off-ramp and Commerce Center Drive would not be consistent with current Caltrans standards.

### **2.3.2 Alternative B – Single-Point Diamond Concept**

This alternative (Figure 2.3-2) would have aligned the eastbound and westbound ramps to form a single intersection at the Commerce Center Drive undercrossing and is estimated to cost approximately \$45 million.. All three intersections along Commerce Center Drive (A Street, eastbound and westbound ramps, and Henry Mayo Drive) would be equally spaced approximately 135 meters (443 feet) apart. All of the interchange movements in this alternative would access the same roadway, Commerce Center Drive. This alternative was eliminated due to short southbound queue length for the heavy southbound Commerce Center Drive to eastbound SR 126 movement, impacts to traffic operations during construction, nonstandard features of the design that would potentially create greater safety risks to motorists, such as a wider clear span for the undercrossing and increasing depth of the structures and raising the profile of SR-126 main line, and high construction cost.

## 2.4 Other Local Projects and Proposals

Figure 2.4-1 illustrates the locations of other local projects and proposals. SR 126 is currently used as a major route between I-5 and Ventura County to the west. During the next 20 years, the area around the SR 126/Commerce Center Drive intersection is projected to experience a buildout of major commercial and industrial developments, which will result in considerable increases in regional and inter-regional traffic on these routes. Increases in local traffic are also projected for the area due to ongoing construction and planned development within the greater Santa Clarita Valley. Additionally, several transportation improvement projects within the Santa Clarita Valley will change traffic patterns, contributing additional traffic to the SR 126/Commerce Center Drive intersection. These commercial/industrial developments and local transportation improvement projects are discussed below. Documents for the following projects, with the exception of the Valencia Commerce Center, are available for viewing at Caltrans District 7. Those documents relating to the Valencia Commerce Center can be obtained from Newhall Land, a subsidiary of The Newhall Land and Farming Company.

The addresses of these locations are as follows:

- California Department of Transportation-District 7, 120 South Spring Street, Los Angeles, CA 90012
- Newhall Land, 23823 Valencia Boulevard, Valencia, CA 91355-2194

### 2.4.1 Valencia Commerce Center

Newhall Land is developing 284 hectares (702 acres) north of the SR 126/Commerce Center Drive intersection as a major industrial, office, and supporting commercial-use center named Valencia Commerce Center. Approximately 40 percent (113 hectares, or 280 acres) of the area is being preserved as open space and hillside management area.

Despite this preservation of open space, the Valencia Commerce Center is forecasted to grow to approximately 1.24 million square meters (approximately 13.3 million square feet) by the year 2025, resulting in a large employment area north of SR 126 at Commerce Center Drive. The buildout of the Valencia Commerce Center would add approximately 50,000 vehicle trips per day to be added to SR 126 and I-5 (regionally) (Austin-Foust, 2003). This will also include the extension of Hancock Lane that would intersect with Commerce Center Drive south of the Castaic Creek Bridge. A majority of Valencia Commerce Center drivers would use SR 126, with a high proportion of those trips accessing the Valencia Commerce Center through the I-5/ Hasley Canyon Road intersection. Trips on the local street system would be added to Commerce Center Drive, The Old Road, and Hasley Canyon Road.

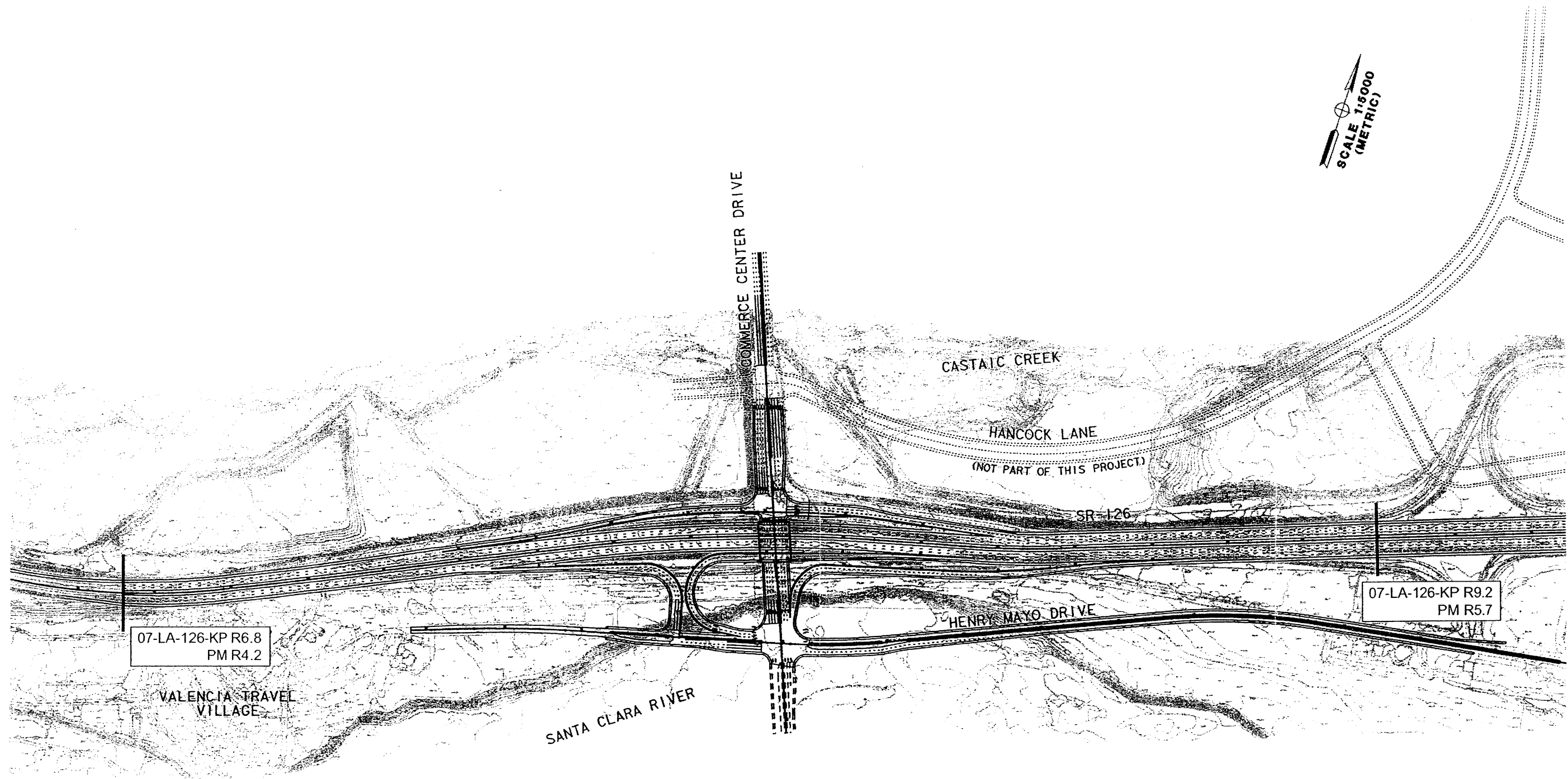


Figure 2.3-1  
Alternative "A"  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



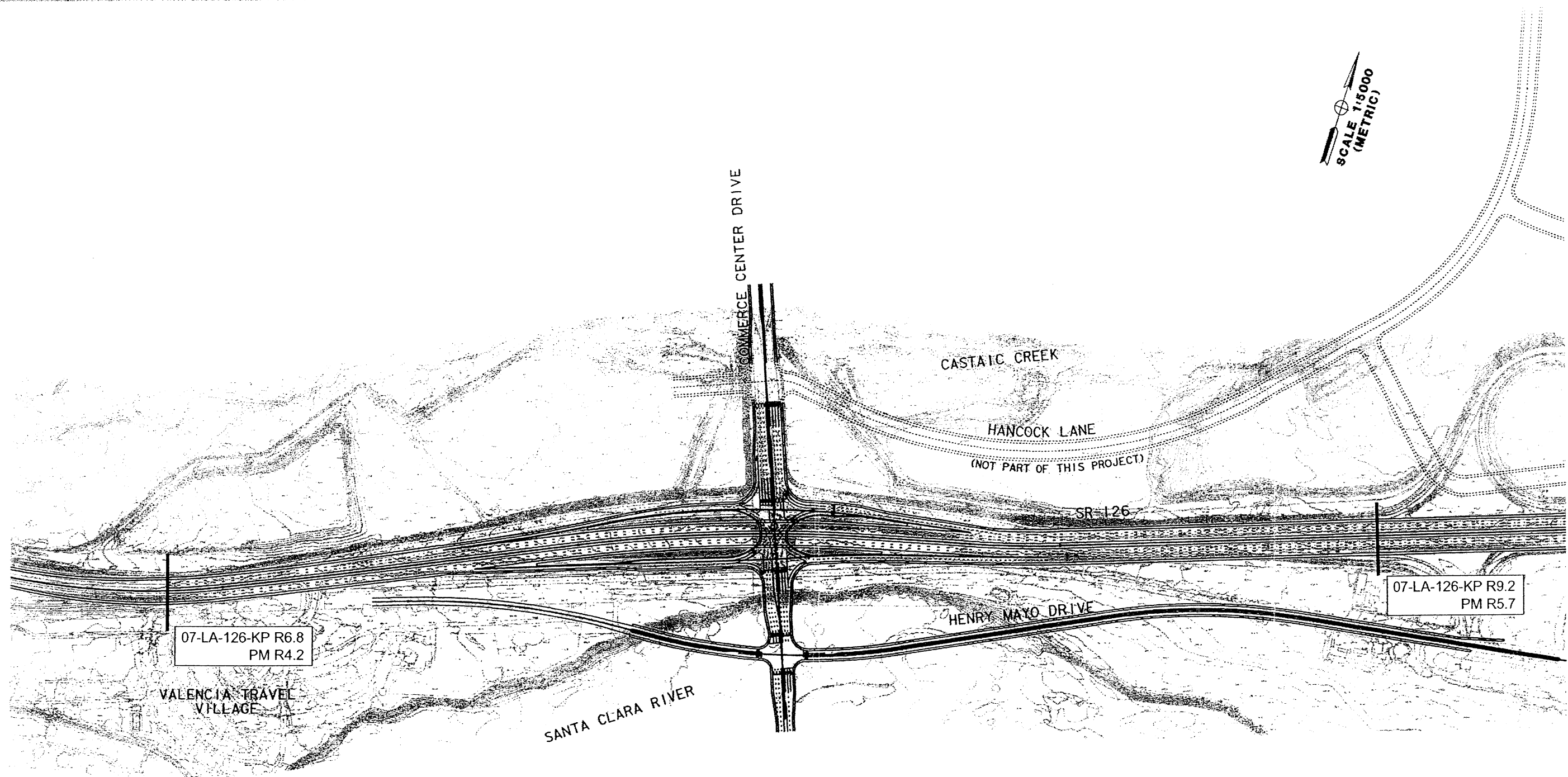
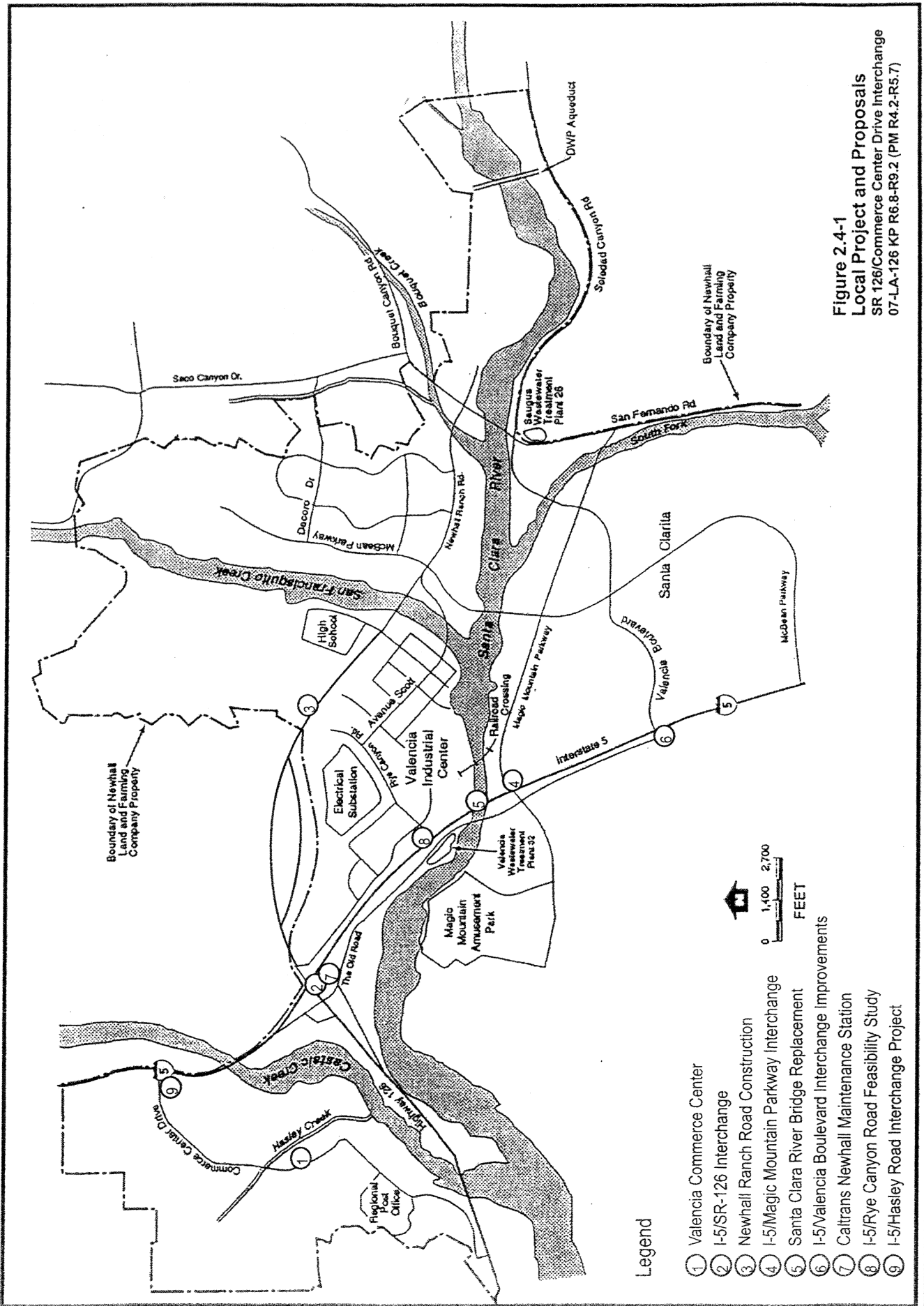


Figure 2.3-2  
Alternative "B"  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



**Figure 2.4-1**  
**Local Project and Proposals**  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



Pursuant to CEQA, an Environmental Impact Report (EIR) was finalized in April 1990 (Sikand, 1990). It stated that the purpose of the proposed project is to develop a major expansion of the existing Valencia Industrial Center, serving the growing business needs of the Santa Clarita Valley and surrounding communities. The proposed project would result in adverse impacts to the following environmental resource areas: geologic resources, floodplain, cultural resources, biota, scenic resources, air quality, sewage disposal, water service, traffic, fire service, sheriff service, environmental safety, and noise levels. With the implementation of measures to minimize harm discussed in the final EIR, these effects would be mitigated to levels of insignificance, except for unavoidable adverse impacts to air quality. Because air quality impacts could not be mitigated to levels of insignificance, a Statement of Overriding Consideration was prepared (Sikand, 1991). The development of Valencia Commerce Center was cleared environmentally and amended to the County of Los Angeles General Plan in September 1991. A tentative parcel map for the area has also been approved. Currently, Valencia Commerce Center is approximately 50 percent complete.

#### **2.4.2 I-5/SR 126 Interchange**

The existing I-5/SR 126 interchange, located northwest of the City of Santa Clarita in Los Angeles County, is currently being reconfigured and this work will be completed in early 2004. The interchange will be reconfigured to provide missing directional movements, improve traffic operations on the interchange, increase capacity, improve local access and circulation in the region and in the local area, enhance the safety of the interchange, and accommodate planned growth. The construction of this roadway project will affect traffic operations in the region as well as those at the I-5/Hasley Canyon Road intersection. A Negative Declaration/ Finding of No Significant Impact (ND/FONSI) was approved by Caltrans and FHWA in June 2001 (CH2M HILL, 2001).

There are no adverse impacts for this project based on the findings of the environmental analysis.

#### **2.4.3 Newhall Ranch Road Construction**

In 2005, a majority of the segment of Newhall Ranch Road, from east of the northbound I-5 off-ramp, would be constructed as an ultimate six- to eight-lane (three to four lanes in each direction) city arterial, connecting to Copper Hill Drive. This connection to I-5/SR 126 would provide access via SR 126 to the Newhall Ranch development, a master-planned community to be located west of I-5, consisting of over 20,000 residential units and over 464,000 square meters (5.0 million square feet) designated for commercial and industrial use.

#### **2.4.4 I-5/Magic Mountain Parkway Interchange**

Newhall Land (the Project Proponent), in cooperation with the City of Santa Clarita, the County of Los Angeles, and Caltrans, is currently constructing Phase 1 of the I-5/Magic Mountain Parkway interchange. The construction of the Build Alternative will be completed in three phases. Phase 1 (under construction) will modify the I-5/Magic Mountain Parkway interchange. This modification is being constructed in concert with the Santa Clara River Bridge reconstruction, as described in Section 2.4.5. The Phase 1 interchange improvement will also require minor modifications (slope and grades) to Magic Mountain Parkway to attain minimum vertical clearances. Phase 2 is planned to include the reconstruction of the I-5/Magic Mountain Parkway Interchange area and realignment of the Old Road at Magic Mountain Parkway, west of I-5. These improvements are planned to increase intersection spacing to join the Los Angeles County six-lane roadway project at Tourney Road. Phase 3 realigns and widens Magic Mountain Parkway east of I-5 to eight lanes from the I-5/SR 126 Interchange to the Fairway Shopping Center entrance. Magic Mountain Parkway will be restriped from six to eight lanes between the Fairway entrance and McBean Parkway. An IS/EA was finalized in July 2000, resulting in the approval of an ND/FONSI (Tetra Tech, 2000).

There are no adverse impacts for this project based on the findings of the environmental analysis. The purpose of this project is to improve traffic safety and the deficiencies of the existing roadway; increase the capacity and improve the operation of existing roadways; alleviate existing and future congestion; conform to state, regional, and local plans and policies; facilitate the flow of goods and services through the area; and ensure continued mobility of the public at the state, regional, and local level.

#### **2.4.5 Santa Clara River Bridge Replacement**

The purpose of this project is to replace the Santa Clara River Bridge on I-5 and the I-5/Magic Mountain Parkway interchange in Santa Clarita described above in Section 2.4.4. Major degradation of the Santa Clara Riverbed surrounding the existing I-5 bridge pilings has occurred because of scour and upstream mining. As a result, the bridge was identified as a scour susceptible bridge, and has been rated Scour Critical, Code 3 as defined by federal guidelines. The bridge also has indications of structural problems.

This project will replace the existing northbound and southbound structures of the Santa Clara River Bridge with a single structure. The new structure will have four lanes in each direction. Caltrans prepared an Environmental Impact Report/Environmental Assessment (EIR/EA), which was finalized in June 2000 (Caltrans, 2000a). The purpose of this project was to replace a scour-susceptible bridge; ensure continued mobility of the public

at the state, regional, and local level; facilitate the efficient flow of goods and services through the area; and improve traffic safety. An Environmental Addendum, pursuant to CEQA, was completed in February of 2003.

The replacement bridge is designed to accommodate the movement or migration of animals. This project is currently under construction and is estimated to be completed by March 2005.

#### **2.4.6 I-5/Valencia Boulevard Interchange Improvements**

Construction of this project was completed in February 2002. This project widened Valencia Boulevard through the interchange with I-5; modified the ramp configuration, which improved the overall operation of the interchange; replaced the existing bridge; and constructed a new southbound direct on-ramp.

An IS/EA was finalized in June 2000, resulting in the approval of a FONSI and Negative Declaration (Tetra Tech, 2000). The purpose of the project was to improve traffic safety and the deficiencies of the existing roadway over I-5 and the interchange increase the capacity and improve the operation of existing roadways; alleviate existing and future congestion; conform to state, regional, and local plans and policies; facilitate the flow of goods and services through the area; and ensure continued mobility of the public at the state, regional, and local level.

There are no adverse impacts for this project based on the findings of the environmental analysis.

#### **2.4.7 Caltrans Newhall Maintenance Station**

In addition to these roadway projects, Caltrans constructed a new maintenance facility (Newhall Maintenance Station) between The Old Road and I-5, south of SR 126. This project has not caused a considerable increase in traffic volumes, nor has it created traffic delays within the I-5/SR 126 Interchange Project vicinity. An Initial Study was prepared, resulting in the approval of a Negative Declaration (Caltrans, 1993). The purpose of this project was to relocate the maintenance station to an area with more compatible surrounding land uses, provide easier access for maintenance vehicles and employees, and reduce the crowded conditions at the existing facility.

Construction and implementation of this project had less-than-adverse impacts to natural features including, but not limited to, plant life, animal life, sensitive habitats, and animal movements. Environmental clearance for this project will be completed mid-2004.

#### **2.4.8 I-5/Rye Canyon Road Feasibility Study**

Newhall Land has prepared a feasibility study to relocate the I-5/Rye Canyon Road hook ramps approximately 137 meters (450 feet) to the north of their existing location (1.6 kilometers [0.9 miles] south of the I-5/SR 126 interchange). This improvement will include the installation of a traffic signal and widen ramp and intersection approaches. The draft plans, specifications, and estimates (Draft PS&E) were submitted to Caltrans in mid-2001. Construction is planned to begin in mid-2004 with a completion date of March 2005.

#### **2.4.9 I-5/Hasley Canyon Road Interchange Project**

Proposed development within Valencia Commerce Center would generate additional traffic accessing I-5 at the I-5/Hasley Canyon Road interchange, located 1.6 km (0.99-mile) north of the I-5/SR 126 interchange. The anticipated traffic increase warrants improvements to the interchange to reduce delay and to improve safety and traffic circulation. Improvements will include replacement of the bridge overpass, realignment and reconstruction of the existing ramps, and intersection approach widening.

An IS/EA was released for public review in January 2001, and was later approved as a ND/FONSI by Caltrans and FHWA in July of the same year (Newhall Land, 2000d). The purpose of the project is to increase capacity and improve local access and circulation, improve the operation of the interchange, incorporate planned infrastructure improvements, enhance safety, and accommodate planned growth within the study area.

There are no adverse impacts for this project based on the findings of the environmental analysis. Construction on this project is estimated to begin in June 2004 and be completed by December 2005.

# **Chapter 3**      Affected Environment, Environmental Consequences, and Measures to Minimize Harm

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## **3.1 Hydrology, Water Quality, Stormwater Runoff**

### **3.1.1 Affected Environment**

#### **Surface Water**

The proposed project would be located within the Santa Clara River floodplain, which originates in Soledad Canyon in the San Gabriel Mountains, approximately 49.9 kilometers (31.0 miles) east-southeast of the project site. The river drains an area of about 1,036 square kilometers (400 square miles) at its confluence with Castaic Creek. Within the project area, the river flows west, crossing I-5 south of the existing SR 126/Commerce Center Drive intersection, to the coast where it drains into the Pacific Ocean near the City of San Buenaventura. The Santa Clara River is not a wild or scenic river, as designated by the National Wild and Scenic Rivers System (National Park Service, 1999).

In the project vicinity, the Santa Clara River is a permanent stream with highly seasonal flows. Flows at the Saugus gauging station range from 1.13 to 1.98 cubic meters per second (cms) (40 to 70 cubic feet per second [cfs]) during the winter months, and less than 0.09 cms (3 cfs) during the low flow, summer season (United States Geological Survey [USGS], 1999). Total annual precipitation in the area averages approximately 0.46-meter (18.11 inches) per year, with almost all precipitation in the November through March period (National Weather Service, 1999).

The Santa Clara River has been designated as a Significant Ecological Area (SEA) by the County of Los Angeles. This designation was made due to the presence of habitat for several special-status species (Los Angeles County, 1990), discussed in Section 3.7 (Vegetation) and Section 3.8 (Wildlife).

Castaic Creek is located north of the proposed project area and merges with the Santa Clara River in the area west of the existing Valencia Travel Village. It is an ephemeral creek, with rainy season flows and extended dry periods. As discussed in Section 3.8, the creek offers potential aquatic habitat for California Department of Fish and Game (CDFG) fully protected species of unarmored threespine stickleback (*gasterosteus aculeatus williamsoni*) known to



be in the area. As a result, this portion of Castaic Creek is considered part of a Significant Natural Area (SNA), as determined by the CDFG.

Existing surface water quality data are not available through direct surface water monitoring results; however, surface water quality can be inferred through local water supply records. As discussed above, Castaic Creek is an ephemeral stream that periodically dries during the summer and fall; the Santa Clara River also has a strongly seasonal flow. The implication of these seasonal patterns is that the extended low-flow periods of both streams during dry seasons should tend to cause their quality to approximate that of local groundwater. Groundwater quality has been characterized by the Newhall County Water District, which uses local wells for municipal supplies (in contrast to other local suppliers that include blended State Water Project surface water). The 401 and 404 water quality requirements will be done and referred to during a stormwater quality assessment and a stormwater data report.

The Water Quality Control Plan for the Los Angeles Region (Basin Plan) contains both numeric and narrative surface water quality objectives. The discharge of waste into surface waters must not violate either of these objectives. Table 3.1-1 lists the various narrative water quality objectives applicable to all inland surface waters and enclosed bays and estuaries (LARWQCB, 1995).

**Table 3.1-1. Narrative Water Quality Objectives for Surface Waters**

Parameter	Objective
Bioaccumulation	Toxic pollutants shall not be present at levels that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health.
BOD	Waters shall be free of substances that result in increases in the BOD, which adversely affect beneficial uses.
Biostimulatory Substances	Water shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.
Color	Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses.
Dissolved Oxygen	At a minimum (see specifics below), the mean annual dissolved oxygen concentration of all waters shall be greater than 7 mg/L; and no single determination shall be less than 5.0 m/L, except when natural conditions cause lesser conditions.
Exotic Vegetation	Exotic vegetation shall not be introduced around stream courses to the extent that such growth causes nuisance or adversely affects beneficial uses.
Floating Material	Water shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

Parameter	Objective
Mineral Quality	Mineral quality in natural waters is largely determined by the mineral assemblage of soils and rocks and faults near the land surface. Point and nonpoint source discharges of poor quality water can degrade the mineral content of natural waters. High levels of dissolved solids render waters useless for many beneficial uses. Elevated levels of boron affect agricultural use (especially citrus).
Oil and Grease	Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water that cause nuisance, or that otherwise adversely affect beneficial uses.
PH	The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge. The pH of bays or estuaries shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.2 units from natural conditions as a result of waste discharge.
Radioactive Substances	Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life or that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
Settleable Material	Waters shall not contain settleable material in concentrations that cause nuisance or adversely affect beneficial uses.
Suspended Solids	Waters shall not contain suspended solid material in concentrations that cause nuisance or adversely affect beneficial uses.
Toxicity	Toxicity is the adverse response of organisms to chemical or physical agents. When the adverse response is mortality, the result is termed acute toxicity. All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in, human, plant, animal, or aquatic life. Compliance with objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, bioassays or population density, growth anomalies, bioassays of appropriate duration or other appropriate methods as specified by the State or Regional Board.
Temperature	The natural receiving water temperature of all regional waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses. Alterations that are allowed must meet the requirements below. For waters designated WARM, water temperature shall not be altered by more than 5°F above the natural temperature. At no time shall these WARM-designated waters be raised above 80°F as a result of waste discharges. For waters designated COLD, water temperature shall not be altered by more than 5°F above the natural temperature.
Taste and Odor	Waters shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible aquatic resources, cause nuisance, or adversely affect beneficial uses.

Parameter	Objective
Turbidity	Turbidity is an expression of the optical property that causes light to be scattered in water due to particulate matter such as clay, silt, organic matter, and microscopic organisms. Turbidity can result in a variety of water quality impairments. The secondary drinking water standard for turbidity is 5 NTU (nephelometric turbidity units). Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity attributable to controllable water quality factors shall not exceed the following limits: Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20 percent and where natural turbidity is greater than 50 NTU, increases shall not exceed 10 percent. Allowable zones of dilution within which higher concentrations may be tolerated may be defined for each discharge in specific Waste Discharge Requirements.

Source: California State University, Sacramento, 2004.

The Santa Clara River is a permanent stream with typical flows ranging from 1.98 cubic meters per second (cms) (70 cubic feet per second [cfs]) during the winter months to less than 0.09 cms (3 cfs) during the summer season (USGS, 1999). The Santa Clara River is listed on the United States Environmental Protection Agency (USEPA) 303(d) list of impaired water bodies. Total maximum daily load (TMDL) restrictions have been promulgated by the LARWQCB for the Santa Clara River, Reach 7 (Hydrologic Unit 403.51), for chloride and ammonia.

Castaic Creek is located north of the proposed project area, and merges with the Santa Clara River downstream of Castaic Junction. It is an ephemeral creek, with rainy season flows and extended dry periods. The creek offers potential aquatic habitat for three listed species of fish known to be in the area. As a result, this portion of Castaic Creek is considered part of a Significant Natural Area (SNA), as determined by the California Department of Fish and Game (CDFG). Castaic Creek is not listed on the USEPA 303(d) list.

The Los Angeles RWQCB (RWQCB, LA Region 4) Basin Plan has prescribed qualitative and numeric water quality standards for the Santa Clara River. The Basin Plan also prescribes TMDLs for chloride and ammonia for the Santa Clara River in the project area. For chloride, the numeric objective is 80 to 100 milligrams per liter (mg/L). For ammonia, the numeric objective varies depending on pH and temperature, but the general range is 0.53 to 2.7 mg/L of total ammonia (at average pH and temperature) in waters designated as WARM to protect against chronic toxicity and 2.3 to 28.0 mg/L to protect against acute toxicity (RWQCB, 1994)

The physical characteristics of local surface waters within the project vicinity can be inferred based on well data at Newhall during predominantly low-flow periods (Castaic Lake Water Agency, 1999). These characteristics include the following:

- Hardness—308 milligrams per liter (mg/L)
- pH—7.4 (nearly neutral)
- Nitrate Levels—2.8 mg/L (low nitrate-N level)
- Total dissolved solids (TDS) concentration—approximately 535 mg/L

It is expected that high, winter storm flows typically act to both dilute the hard water and TDS, and add silt to the stream. These water quality characteristics are typical for warm-water Southern California streams and are supportive of the aquatic life and SEA designations for listed fish species.

The project area is not located within the coastal zone management program area, and no coastal barriers are located within the project area.

### **Groundwater**

The proposed project is located within the eastern groundwater basin of the Santa Clara River valley basin. The basin includes alluvial sediments along the river and its tributaries, and deeper Saugus formation sediments that underlie the alluvium. Depth to water in the alluvial aquifer varies greatly due to the seasonal and long-term variation in the amount of recharge and discharge.

The Los Angeles RWQCB has designated four existing beneficial uses for groundwater in the project area. These include municipal/domestic water supply, industrial service supply, industrial process supply, and agricultural supply. The majority of water extraction within the Santa Clarita Valley occurs along the Santa Clara River. The largest groundwater user in the project area is the Newhall Land and Farming Company, which operates 25 to 30 wells primarily for agricultural purposes. Several other private water purveyors also extract groundwater for municipal and industrial uses. These include the Los Angeles County Waterworks District No. 35 (for the Wayside Honor Rancho), the Santa Clarita Water Company, the Newhall County Water District, and the Valencia Water Company. Total groundwater extractions by the purveyors from the alluvial aquifer ranged between 19,740 and 38,240 cubic kilometers (16,000 to 31,000 acre-feet) from 1987 to 1994 (Santa Clarita Valley Water Report, 2001).

### **3.1.2 Permanent Impacts**

#### **Siltation and Water Quality**

Permanent siltation and water quality impacts would result from the increased rate of soil erosion due to runoff from the project site, and the subsequent siltation in waters downstream of the project site. The impacts would be proportionate to the increase in stormwater runoff from the project site, and would occur in the small unlined channels draining the project site. In the worst-case scenario (at cross section 20.40), the proposed roadway embankment reduces the floodplain width from 393 m to 299 m (1,289 feet to 981 feet). In the vicinity of the proposed roadway embankment, the maximum difference of water surface elevations is 0.19-m (0.62-foot) at cross section 23.04 in the floodplain fringe. The proposed project will increase flow velocities slightly at some locations. The velocity on the right-over bank (near the proposed embankment of Henry Mayo Drive) ranges from 1.68 to 2.31 meters (5.51 to 7.58 feet) per second (m/s). The floodplain extends across the riverbanks near the project site. In the worst-case scenario (at cross section 20.40), the proposed roadway embankment reduces the floodplain width from 393 m to 299 m (1,289 feet to 981 feet). To avoid damage to existing structures within the floodplain, FEMA criteria normally limits cumulative increases in the 100-year base flood elevation to less than 0.31 meters (1 foot). Since there are no existing structures within the floodplain and the maximum impact on the water surface is within FEMA guidelines, the proposed embankment does not have an adverse impact on the floodplain of the Santa Clara River. Based on a discussion with the LACDPW Planning Division, the County has adopted the FEMA floodplain management guideline. Additional information corresponding to the 100-year storm as a result of the project can be found in *Location Hydraulic Study* (CH2M HILL, 2004a).

Eroded soils would be transported in runoff and would settle out of the water downstream, increasing siltation. While suspended, these soil particles may prevent sunlight from reaching aquatic plants, clog fish gills, or choke other organisms. Other pollutants common in soils near highways such as heavy metals, oil and grease, fertilizers, and pesticides would adhere to these soil particles and would be transported downstream with them. These adsorbed pollutants would degrade water quality and would harm aquatic life by causing algal blooms, or interfering with photosynthesis, respiration, growth, and reproduction (EPA, 1995).

#### **Stormwater Runoff**

The proposed project would result in an increase of impervious surface area of about 8.5 hectares (21 acres). This additional impervious surface area would result in increased surface runoff in small unlined streams and channels. In the Santa Clara River, permanent hydrologic impacts would result from increased runoff and the potential for increased erosion

and scour within the river bed. The increase in impervious surface area would result in a proportionate increase of surface runoff from the project site. In the Santa Clara River at the project site, the tributary drainage area is approximately 121,400 hectares (299,985 acres). The additional impervious surface area constitutes less than 0.01 percent of the watershed. Assuming the increase in surface runoff to be directly proportional to the increase in impervious surface area, the increase in runoff would be negligible.

### **3.1.3 Temporary Impacts**

#### **Siltation and Water Quality**

Construction of the preferred alternative would involve grading at the project area, which may result in temporary erosion of disturbed earth by wind and/or water adjacent to and within the Santa Clara River. Construction of the project would not directly impact Castaic Creek, located north of the proposed construction area. Temporary siltation and water quality impacts would be similar to permanent impacts described above. Construction-related erosion would result in fine-grain particulate solids entering the Santa Clara River and may potentially contaminate aquatic and/or wetland habitats. However, these potential temporary water quality impacts from construction-related erosion may be mitigated.

#### **Stormwater Runoff**

There would be a slight increase in the amount of stormwater runoff on the project site due to the increase in the amount of impervious surfaces. As a result, there would be a small increase in runoff to the Santa Clara River, which could potentially degrade surface water quality.

### **3.1.4 Measures to Minimize Harm**

#### **Siltation**

The construction and operation of the proposed project will require coverage under the NPDES. Two NPDES permits pertain to Caltrans projects, listed below. Coverage under these NPDES permits will require consideration and implementation of BMPs to the maximum extent practicable.

- State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, NPDES General Permit for stormwater discharges associated with Construction Activity (General Permit)
- SWRCB Order No. 99-06-DWQ, NPDES Statewide Storm Water Permit (Statewide Permit)

Prior to construction of the proposed project, the project shall obtain coverage under the General Permit. Further, both construction and operation of the proposed project shall obtain coverage under Caltrans Statewide NPDES Permit. Caltrans satisfies the requirements of the Caltrans Statewide NPDES Permit by implementing its Storm Water Management Plan (SWMP) (California, 2003) and Storm Water Quality Practice Guidelines. The SWMP describes the guidelines by which each project shall implement BMPs in compliance with the Caltrans Statewide NPDES Permit. Implementation of BMPs to the maximum extent practicable (MEP) would avoid or minimize these potential impacts. For instance, approved design BMPs, treatment BMPs and maintenance BMPs, will be implemented wherever feasible to control water quality impacts after construction. Caltrans-approved treatment BMPs will be incorporated in the Project Planning Guide.

All projects within the right-of-way shall comply with the recently approved SWMP, dated May 2003. Also, all projects must comply with the recently updated Storm Water Quality Handbooks listed below:

- Project Planning and Design Guidelines (reprinted April 2003)
- Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual (March 2003)
- Construction Site BMPs Manual (March 2003)

The proposed project would also comply with Caltrans District 7 District Directive DD20, October 20, 2000. Compliance with the NPDES permits and implementation of Caltrans' SWMP will minimize stormwater impacts from the proposed project. Specific measures to minimize harm are listed below.

### **Siltation and Water Quality**

As mentioned above, coverage under the General Permit will require the project to prepare and implement an SWPPP, which will include provisions for the implementation of construction site BMPs and standard pollution prevention "Good Housekeeping" practices designed to minimize stormwater contamination, and erosion and siltation (Caltrans, 2003). These BMPs would also minimize the risk of stormwater pollution from construction activities and minimize water quality impacts to aquatic and riparian habitats from nonvisible pollutants. The SWPPP will also include a monitoring and maintenance program for these BMPs. Such BMPs would include, but are not limited to:

- The establishment of equipment staging areas and the isolation of hazardous materials from drainage to the streambed.

- The control of construction vehicles and containment of any leakage; equipment maintenance in designated areas away from drainage channels.
- The control of all construction debris within the river channel.
- Sediment traps and/or straw bale filters and silt fences.
- Temporary and permanent stabilization of exposed soil.

Coverage under Caltrans' NPDES Permit will require the project to prepare a Storm Water Data Report (SWDR) in compliance with Caltrans' SWMP (Caltrans, 2002). The SWDR will consider and implement design BMPs and treatment BMPs to the maximum extent practicable. Design BMPs will prevent minimize erosion and scour during operation of the proposed project. Examples of design BMPs include but are not limited to:

- Ditches, berms, dikes, and swales
- Overside drains
- Flared culvert end sections
- Outlet protection/velocity dissipation devices
- Vegetated surfaces/hydroseeding
- Hard surfaces

Treatment BMPs will provide some treatment of surface runoff from the proposed project to minimize stormwater contaminants associated with siltation, such as oil and grease, sediment, and metals. Examples of treatment BMPs include, but are not limited to:

- Biofiltration swales and strips
- Detention basins
- Infiltration basins

Completion of the SWPPP and the SWDR will indicate compliance with the NPDES Permits, and will minimize adverse water quality impacts.

### **Stormwater Runoff**

Compliance with Caltrans' SWMP and production of the SWDR shall be done to consider and document the implementation of design and treatment BMPs to the maximum extent practicable. These BMPs will minimize impacts to stormwater runoff. Design and treatment BMPs to be considered include those listed above.



Construction management BMPs are designed to minimize erosion and reduce downstream siltation and potential nonvisible pollutant discharges during construction activities. Standard BMPs (Caltrans, 2003) would include, but are not limited to:

- The establishment of equipment staging areas and the requirements for storage of hazardous materials to prevent pollutants from discharging from the site, or entering waterways.
- The control of construction vehicles and containment of any leakage.
- The control of all construction debris.
- Installation of sediment traps and/or straw bale filters, silt fences, and sandbags.
- Temporary and permanent stabilization of exposed soil.
- Implementation of BMPs to minimize erosion during construction, and prevent nonpollutants from adversely affecting water quality.

Following construction of the proposed project, design and treatment BMPs will minimize hydrologic impacts to downstream receiving waters. Design and treatment BMPs include those listed above. A maintenance program for these BMPs will be implemented to confirm they are operating to their design capacity. In addition, consultation with state and federal agencies concerning protection measures for the listed aquatic species in the project vicinity in accordance with the NRMP will be required. The following are standard measures to minimize water quality impacts due to construction activities, as listed in the NRMP:

- Equipment shall not be operated in areas of ponded or flowing water without approval of the CDFG.
- Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.
- Installation of bridges, culverts, or other structures shall not impair movement of fish or aquatic organisms. Bottoms of temporary culverts shall be placed at below-channel grades. Bottoms of permanent culverts shall be placed below-channel grades.
- Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or be placed in locations that may be subject to normal storm flows during periods when storm flows can be reasonably be expected to occur.
- If a stream channel has been altered during the construction and/or maintenance operations, its low-flow channel shall be returned as nearly as practical to preproject

topographic conditions without creating a possible future bank erosion problem, or a flat wide channel or sluice-like area. The gradient of the streambed shall be returned to preproject grade, to the extent practical, unless it is specified in the NRMP as a restoration area, or a new river bottom area.

- Staging/storage areas for equipment and materials shall be located outside areas of ponded or flowing water.
- Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the NRMP.
- Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life.
- Stationary equipment such as motors, pumps, generators, and welders located within the riverbed construction zone shall be positioned over drip pans. No fuel storage tanks are allowed in the riverbed.
- County of Los Angeles and/or their approved contractor will ensure that no debris, bark, slash, sawdust, rubbish, cement, or concrete or washings thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into, waters of the state. When operations are completed, any excess materials or debris shall be removed from the work area and properly disposed.
- No equipment maintenance shall be done within or near any stream where petroleum products or other pollutants from the equipment may enter these areas under flow.

The following are specific water quality measures to minimize harm listed in the NRMP:

(WQ-1) The engineering design and operational criteria of the proposed water quality wetlands and filters shall be reviewed by the Regional Board staff during the 401 certification review for individual projects. The final designs should consider optimal size, retention time, internal flow patterns, use of a forebay, selection of appropriate plants, and location of inlets and outlets.

(WQ-2) The design of the proposed treatment control BMPs must meet the requirements of any similar treatment control BMP that is formally adopted by the Regional Board for the then current municipal stormwater permit for Los Angeles County or the City of Santa Clarita.

## 3.2 Hazardous Waste/Materials

An ISA was conducted for the proposed project (CH2M HILL, 1999c). The ISA is summarized below and herein incorporated by reference. The following work was conducted as part of the ISA:

- A site reconnaissance was performed in May 1998 to visually inspect the site, complete the Caltrans ISA Checklist, assess current land usage, and identify recognized environmental conditions that may be present at the properties.
- Regulatory agency databases and six historical aerial photographs were reviewed to identify potentially contaminated sites located at or adjacent to the proposed project.
- A chain-of-title search was performed to determine current and previous ownership information, as well as to indicate whether any leases for oil exploration activities were given for the project area.
- A standard Caltrans ISA Checklist was completed for the project site.

### 3.2.1 Affected Environment

The following list summarizes the conclusions regarding potential recognized environmental conditions for the project area:

- Past land use records indicate that portions of the project area were farmland from at least 1952 (date of earliest aerial photograph reviewed) to 1972. As a result of this past land use, elevated levels of nitrates in the groundwater potentially exist at the site. In addition, there is a potential for residual concentration of pesticides/herbicides in soil resulting from routine applications associated with past agricultural land use at the subject areas.
- No recognized environmental conditions were observed during a May 1998 site visit. In addition, no evidence of recognized environmental conditions was observed at directly adjacent properties during the site visit.
- A review of the environmental databases identified a number of nearby sites with potential environmental concerns. Elevated levels of petroleum in soils and groundwater resulting from underground storage tank (UST) releases have occurred at locations within 0.2-kilometer (0.13-mile) of the proposed project. In addition, a solid waste landfill with reported minor groundwater contamination is located within 0.4-kilometer (0.25-mile) of the subject area. Depth to groundwater is between 3 and 6 meters (10 and 20 feet) below ground surface.

- Research of chain-of-title information did not reveal leases for oil exploration or other leases that indicated environmental concern.

### **3.2.2 Permanent Impacts**

No recognized environmental concerns were observed during a May 1998 site visit. As a result, the proposed project is not expected to result in an adverse risk of the release of hazardous substances during the construction and operation of the proposed project, and would not endanger the safety of workers or the general public. Additionally, neither the presence of these conditions nor the construction or operation of the proposed project are anticipated to violate any published federal, state, or local standards pertaining to hazardous waste, solid waste, or litter control.

### **3.2.3 Temporary Impacts**

#### **Construction Phase Impacts**

As discussed in Section 3.2.1, an ISA was conducted for the proposed project (CH2M HILL, 1999c). This report concluded that the following recognized environmental conditions were identified at the subject parcel:

- Potential groundwater contamination from past agricultural land use at the site and leaking USTs, and a landfill at nearby properties.
- Potential for residual concentration of pesticides/herbicides in soil resulting from routine applications associated with past agricultural land use at the subject parcel.

Approximately 0.5-hectare (1.3 acres) of potentially contaminated land would be required for the Build Alternative, with no additional right-of-way required for the No Build Alternative. No recognized environmental concerns were observed during a May 1998 site visit. As a result, the proposed project is not expected to result in an adverse risk of the release of hazardous substances during the construction and operation of the proposed project, and would not endanger the safety of workers or the general public. Additionally, neither the presence of these conditions nor the construction or operation of the proposed project is anticipated to violate any published federal, state, or local standards pertaining to hazardous waste, solid waste, or litter control. However, because testing of soil and groundwater contamination levels will be completed after the environmental documentation phase is completed, a definitive level of impact cannot be determined until soil and groundwater tests are completed. These tests must be completed prior to the purchase or exchange of right-of-way to the State of California, which is prohibited from purchasing or receiving land on which contaminants are located.

The proposed project would require the removal of existing yellow thermoplastic traffic stripes and pavement markings. These materials have the potential to contain hazardous levels of lead and/or chromium, which could be dangerous to the environment and to human health during construction. These materials typically are removed using sand- or air-blasting equipment. Workers are required to adhere to Occupational Safety and Health Act (OSHA) standards, which describe necessary personal safety equipment and work procedures. All yellow paint debris will require proper containment during and after removal and will be properly handled. After blasting, the blasted material is collected and disposed at an appropriate hazardous materials facility. If the yellow paint debris is found to contain lead and chromium at actionable levels, then the debris will be disposed of in a Class I Landfill. The amount of material would not be substantial and would not impact local hazardous materials facilities.

### **3.2.4 Measures to Minimize Harm**

#### **Construction Mitigation**

Although no adverse potential for or evidence of hazardous material contamination was observed or detected while conducting the ISA, the following measures to minimize harm are recommended to further minimize this potential during construction activities:

- During construction, waste material will be classified and removed from the construction area(s) to an appropriate disposal site. If the yellow paint debris is found to contain lead and chromium at actionable levels, then the debris will be disposed of in a Class I Landfill. Waste material removed from the construction area will be disposed in accordance with current standards specified in Title 22 of the California Code of Regulations (22 CCR).
- If a previously undetected hazardous waste site/location is unearthed during construction, all excavation activities in the immediate vicinity of the contaminated site will be suspended. Caltrans, in conjunction with other appropriate agencies, will develop a plan to investigate the site of contamination and to determine what corrective measures, if any, may be required to safeguard public health and the environment.

Aerially deposited lead due to vehicle emissions may be encountered during the excavation of the unpaved areas required for construction of the project. Soil samples will be collected, tested, and analyzed for lead during the design stage after roadway geometric plans have been approved. If lead is found at levels considered hazardous, the results will be noted in the Special Provisions of the project. The California Department of Toxic Substances Control (DTSC) has granted a variance to Caltrans that defines the allowable reuse of lead-

contaminated soils within the project limits. The current DTSC Variance was effective September 22, 2000.

There is the potential for minor groundwater and soil contamination due to nearby leaking USTs, a solid waste landfill, and past agricultural activities. It is believed that the proposed project will not require excavation that will impact the groundwater level. A Site Investigation (SI) to verify the presence and extent of the hazardous waste within the project area will be conducted during the design stage after roadway geometric plans have been approved, so that design and right-of-way issues can be identified and resolved at an early stage.

If surface water of shallow depth is impacted during the construction of the new structures of the Build Alternative, a dewatering permit would be required prior to construction to discharge the surface/groundwater back into the Santa Clara River. Other options for surface/groundwater disposal will be analyzed prior to any work on the structures.

New right-of-way (ROW) may be acquired, and may have buildings or structures that may need to be demolished. In that event, surveys and abatement will be conducted for asbestos-containing materials (ACM) and lead-based paint.

If contamination is identified, Caltrans will consider alternatives (including design variations) to avoid the hazardous waste area. If the site cannot be avoided, remediation of the contaminated site should be considered prior to construction because the State of California cannot purchase or be given property containing contaminated materials.

### **3.3 Air Quality**

The following section is based on a technical report titled, *Final Air Quality Analysis*, prepared by CH2M HILL in August 2004 (CH2M HILL, 2004b).

#### **3.3.1 Affected Environment**

The project area is located in the South Coast Air Basin (SCAB), a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean to the southwest and high mountains to the north and east. The climate of the air basin is mild, tempered by cool sea breezes. With light average wind speeds, the atmosphere of the air basin has a limited capability to disperse air contaminants horizontally; and vertical dispersion of pollutants is hampered by the presence of a persistent inversion layer (typically 0.6-kilometers [2,000 feet] or less above sea level). During periods of limited horizontal and vertical mixing, pollutants released to the atmosphere at or near ground level are trapped and accumulate and tend to form a uniform mixture between the ground and the inversion

layer base (SCAQMD, 1993). The proposed project is a grade separated interchange that would improve local access, traffic circulation, and vehicle speeds. The proposed project would eliminate the idling time for vehicles at the SR-126 / Commerce Center Drive intersection, as the local roadway traffic would be removed from the highway traffic and pass through the intersection without stopping. By the year 2025, SR-126 is predicted to carry 82,000 vehicle AADT (Caltrans: *Annual Average Daily Truck Traffic on the California State Highway System*. Compiled by Traffic and Vehicle Data Systems. August 2005. <http://www.dot.ca.gov/hq/traffops/saferesi/trafdata/> ). Assuming the Caltrans percent truck AADT (9.09%) for SR-126 in 2004 would be the same in 2025, there would be approximately 7,454 truck AADT in 2025 (Caltrans, 2005). The truck AADT includes 2-axle through 5-axle size trucks, therefore; the diesel truck AADT would be less than the estimated 7,454 truck AADT. The improvement to the SR-126 / Commerce Center Drive intersection would not be expected to result in an increase in the number of diesel truck AADT as the proposed project is located in an area that is dominated by commercial (Valencia Commerce Center) and residential land uses (Newhall Ranch residential development) which would be primarily gasoline vehicles. The proposed project is anticipated to improve the existing level of service (LOS) from LOS F to acceptable levels of C and D. The improvements to the SR-126/Commerce Center Drive intersection would not consist of new bus, rail, or transfer points nor would it connect the highway to a major freight, bus, or intermodal terminal.

The potential for high pollution levels varies seasonally for many contaminants. In the summer, reaction between reactive organic gases (ROG) and oxides of nitrogen ( $\text{NO}_x$ ) can form photochemical oxidants, mainly ozone. In the winter, high levels of  $\text{NO}_x$  can exist because of extremely low inversions, air stagnation during the late night and early morning hours, and the lack of intense sunlight that is needed for photochemical reactions. When strong inversions are formed on winter nights, and are coupled with near-calm winds, carbon monoxide (CO) from automobile exhausts becomes highly concentrated. During the spring and summer, when fairly deep marine layers are frequently found in the air basin, sulfate concentrations are at their peak (SCAQMD, 1993).

SCAQMD operates a network of ambient monitoring stations within SCAB, which includes the greater Los Angeles metropolitan area. The nearest representative monitoring station for this project is located near the County Fire Station on San Fernando Road in Santa Clarita. Table 3.3-1 lists the pollutant levels recorded at this station from 2002 to 2004. The area is classified as nonattainment at the state and federal levels for  $\text{O}_3$  (ozone), CO, and  $\text{PM}_{10}$  (respirable particulate matter with a diameter less than 10 micrometers). In April of 2004 the area was designated as severe non-attainment for the most recently adopted 8-hour standard for  $\text{O}_3$ . The EPA issued official designations for attainment the  $\text{PM}_{2.5}$  (fine particulate matter less than 2.5 microns in equivalent diameter) standard on December 17, 2004 and made

modifications in April 2005. The area has been designated as non-attainment for PM<sub>2.5</sub>. Transportation conformity requirements would not apply however, until one year after the effective date of the designation for both 8-hour ozone and PM<sub>2.5</sub>.

As shown in Table 3.3-1, O<sub>3</sub> and PM<sub>10</sub> exceeded the California and national standards over the past 3 years. CO and NO<sub>x</sub> did not exceed the standards. Concentrations of sulfur dioxide (SO<sub>2</sub>), sulfates, lead, and visibility-reducing particles were not measured at this station; however, this area was either classified as "attainment" or "unclassified" for these four components in 1998 (CARB, 2003a). PM<sub>2.5</sub> was not measured at the Santa Clarita monitoring station. Therefore, the next closest monitor, Reseda, was used to represent existing air quality for PM<sub>2.5</sub>. The 24-hour PM<sub>2.5</sub> concentrations did not exceed the National ambient air quality standards. However, the annual average exceeded both the California and National ambient air quality standards.

### 3.3.2 Permanent Impacts

A transportation project can affect regional air quality if emissions of ozone precursors (NO<sub>x</sub> and ROG) from traffic are greater with the project than without the project for the same study year. To be found in conformance with the Federal Clean Air Act Amendments (CAAA) of 1990, a project must be listed in approved transportation plans and programs such as the RTP and FTIP. The CAAA of 1990 require that transportation plans, programs, and projects that are funded by or approved under Title 23 of the U.S. Code of the Federal Transit Act conform to state or federal air quality plans.

**Table 3.3-1. Summary of Maximum Ambient Monitoring Levels at the Santa Clarita Station (San Fernando Road)**

Pollutant	Averaging Time	2002	2003	2004
CO (ppm)	1 Hour	3.3	3.3	5.2
		(0 State)	(0 State)	(0 State)
	8 Hour	(0 Federal)	(0 Federal)	(0 Federal)
		1.74	1.71	3.7
O <sub>3</sub> (ppm)	1 Hour	(0 State)	(0 State)	(0 State)
		(0 Federal)	(0 Federal)	(0 Federal)
	8 Hour	0.169	0.194	0.158
		(81 State)(32 Federal)	(89 State)	(69 State)
NO <sub>2</sub> (ppm)	1 Hour	0.144 (52)	0.152 (69)	0.133 (52)
	Annual Average	0.020 (0)	0.020 (0)	0.021 (0)
PM <sub>2.5</sub> (Micrograms per cubic meter [µg/m <sup>3</sup> ])	24 Hour	0.086 (0)	0.092 (0)	0.090 (0)
	Annual Arithmetic Mean	19	19	19
		48.8	47.5	56.2
		(0 Federal)	(0 Federal)	(0 Federal)



Pollutant	Averaging Time	2002	2003	2004
PM <sub>10</sub> (µg/m <sup>3</sup> )	Annual Arithmetic Mean	33	32	28
	24 Hour	61	72	54
		(6 State) (0 Federal)	(8 State) (0 Federal)	(1 State) (0 Federal)

\* 24-hour PM<sub>10</sub> samples were collected on 60 days in 2002, 61 days in 2003, and 60 days in 2004. According to the ARB website, there was insufficient data to determine this value.

Notes:

Hydrogen sulfide, vinyl chloride, and visibility-reducing particles are not monitored in the South Coast Air Basin.

() = number of days during the year in which a measurement was greater than the state or national standard.

PM<sub>2.5</sub> data from the Reseda monitoring station.

Source: US EPA, 2005 – AIRData Monitor Values and the California Air Resources Board, ADAM Air Quality Database (CARB, 2003b).

The proposed project is fully funded and is in the 2004 Regional Transportation Plan which was found to conform by SCAG April 1, 2004 and FHWA and FTA adopted the air quality conformity finding on June 4, 2004. The project is also included in the SCAG financially constrained 2004 RTIP (Amendments 1-15), page 5 State Highway Projects. The SCAG Regional Transportation Improvement Program was found to conform by FHWA and FTA on October 4, 2004. The design concept and scope of the proposed project is consistent with the project description in the 2004 RTP, the 2004 RTIP and the assumptions in the SCAG's regional emissions analysis. Therefore, inclusion of this project in a conforming RTIP demonstrates the project would not cause an adverse regional impact or impede progress towards attainment of the NAAQS for ozone and PM.

The pollutant of primary concern when assessing localized impacts of transportation projects is CO and PM<sub>10</sub>. Elevated CO and PM<sub>10</sub> concentrations tend to accumulate near areas of heavy traffic congestion where average vehicle speeds are low. Localized impacts are assessed by estimating maximum ambient CO and PM<sub>10</sub> concentrations near the roadways affected by the project. The concentrations are compared to the national and California ambient air quality standards for CO and PM<sub>10</sub>. The impact of a project is considered to be adverse if the project creates a new CO or PM<sub>10</sub> violation or exacerbates an existing violation. Because the proposed project is in an area of non-attainment for federal O<sub>3</sub>, PM<sub>2.5</sub>, PM<sub>10</sub> and CO standards, the project is subject to project level federal conformity requirements.

In general, the proposed project would improve traffic flow and increase average vehicle speeds through the interchange relative to the no-project condition. Therefore, the project is generally expected to have a beneficial impact on localized air quality. However, the completion of this project would potentially move traffic closer to a receptor site. For this reason, a CO analysis was performed for the no build and preferred alternatives for two analysis years, year-open-to-traffic (2009) and horizon year (2030), to determine if the

proposed build alternative would cause localized violations of the standards for CO. Localized CO impacts were evaluated using the methodology outlined in the Transportation Project-Level Carbon Monoxide Protocol written by the Institute of Traffic Studies at the University of California, Davis (Garza et al., 1997). Although the methodology outlined in the UC Davis protocol was followed, quantification of CO impacts from affected intersections was completed using the emission model EMFAC2002 (version 2.2) and the dispersion model CAL3QHC (version 2.0). SCAG endorses the use of the protocol to assess project-level impacts. Project impacts have been assessed through relevant methodologies and significance criteria per the SCAQMD CEQA Air Quality Handbook (SCAQMD, 1993).

Table 3.3-2 presents the peak 1-hour and 8-hour CO concentrations predicted near the intersection of Commerce Center Drive and Henry Mayo Drive for the “year-open-to traffic” analysis year (2009). The maximum peak hour concentration occurs during the traffic AM peak hour. The conservative screening analysis predicts a maximum 1-hour CO concentration for the preferred alternative of 6.1 parts per million (ppm), which is well below the national standard of 35 ppm and the state standard of 20 ppm. The conservative screening analysis predicts a maximum 8-hour concentration for the preferred alternative of 5.3 ppm, which is below the national and state standard of 9 ppm.

**Table 3.3-2. Maximum CO Concentrations – 2009 (Opening Year)**

Intersection	Maximum 1-hour CO Concentration (ppm)		Maximum 8-Hour CO Concentration (ppm)	
	No Build	Preferred Alternative	No Build	Preferred Alternative
Commerce Center Drive/Henry Mayo	6.1	6.1	5.3	5.3

**Notes:**

Concentrations include a future (2009) 1-hour background concentration of 5.3 ppm and an 8-hour background concentration of 4.7 ppm (SCAQMD, 2005).

NA: Intersection of Commerce Center Drive/SR 126 Off-Ramp would not exist prior to the proposed project.

The National Ambient Air Quality Standards (NAAQS) for CO are 35 ppm (1-hour) and 9 ppm (8-hour).

The California Ambient Air Quality Standards (CAAQS) for CO are 20 ppm (1-hour) and 9 ppm (8-hour).

Source: CH2M HILL, 2004b.

Table 3.3-3 presents the peak 1-hour and 8-hour CO concentrations predicted near the intersections of Commerce Center Drive and Hancock, the SR126 westbound off-ramp, and Henry Mayo Streets for the buildout analysis year (2030). The conservative screening analysis predicts a maximum 1-hour CO concentration for the preferred alternative of 5.3 ppm, which is well below the national standard of 35 ppm and the state standard of 20 ppm. The conservative screening analysis predicts a maximum 8-hour concentration for the preferred alternative of 4.9 ppm, which is below the national and state standard of 9 ppm.

**Table 3.3-3. Maximum CO Concentrations - 2030**

Intersection	Maximum 1-hour CO Concentration (ppm)		Maximum 8-Hour CO Concentration (ppm)	
	No Build	Preferred Alternative	No Build	Preferred Alternative
Commerce Center Drive/Henry Mayo	5.5	5.5	4.9	4.9

**Notes:**

Concentrations include a future (2030) 1-hour background concentration of 5.1 ppm and an 8-hour background concentration of 4.6 ppm (SCAQMD, 2005).

NA: Intersection of Commerce Center Drive/SR 126 Off-Ramp would not exist prior to the proposed project.

The NAAQS for CO are 35 ppm (1-hour) and 9 ppm (8-hour).

The CAAQS for CO are 20 ppm (1-hour) and 9 ppm (8-hour).

Source: CH2M HILL, 2004b.

The proposed project would not contribute to any new CO violations or cause an increase in any existing violations. Although the 1-hour and 8-hour concentrations at the intersection of Commerce Center Drive and Henry Mayo are higher for the preferred alternative compared to the no build in 2030 (Table 3.3-3), the values are below the national and state standards. Therefore, the project-level conformity requirements are satisfied.

Projects are subject to conformity requirements for PM<sub>10</sub> if they are located in a PM<sub>10</sub> nonattainment or maintenance area (federal standards). At the regional scale, this project is included in the 2004 RTIP. The RTIP air quality analysis must show that the transportation system will not increase PM<sub>10</sub> emissions overall. Therefore, inclusion of this project in a conforming 2004 RTIP indicates the project would not cause a regional PM<sub>10</sub> impact. Upon final designation of the area for PM<sub>2.5</sub> the RTIP and AQMP will be updated and a determination on the regional impact of projects on secondary fine particulate will be made.

At the local scale, qualitative PM<sub>2.5</sub> and PM<sub>10</sub> analyses are required for this project because the proposed site is located in a federal nonattainment zone for PM<sub>2.5</sub> and PM<sub>10</sub>. Although this site is also located in a state nonattainment zone for PM<sub>2.5</sub> and PM<sub>10</sub>, a guidance document for assessing the contribution of individual traffic projects to local violations of the state 24-hour standards does not exist at this time, nor would a local PM<sub>2.5</sub> or PM<sub>10</sub> analysis be required at the state level to show project-level conformity. Therefore, potential local PM<sub>10</sub> and PM<sub>2.5</sub> impacts are only assessed against the federal level in this document.

According to the Transportation Conformity Guidance for Qualitative Hot-spot Analyses in PM<sub>2.5</sub> and PM<sub>10</sub> Nonattainment and Maintenance Areas (guidance), a qualitative PM<sub>2.5</sub> hot-spot analysis is not required for projects that are not an air quality concern (EPA, 2006). The proposed project is an interchange configuration that involves turn lanes or slots and would improve traffic flow and vehicle speeds. Furthermore, the proposed project would eliminate

idling times for vehicles at the intersection. Therefore, the proposed project has been found to not be of air quality concern under 40 CFR 93.123(b)(1). A qualitative PM<sub>2.5</sub> analysis is not required for projects that are not of air quality concern. The CAA and 40 CFR 93.116 requirements have been met without a hot-spot analysis since the proposed project is not of air quality concern. The proposed project demonstrates project-level PM<sub>2.5</sub> conformity and would not be expected to contribute or create a violation of the PM<sub>2.5</sub> standards.

According to the guidance (EPA, 2006), in PM<sub>10</sub> nonattainment areas with currently approved conformity SIP, the PM<sub>10</sub> hot-spot provisions from previous conformity rulemakings would apply. The proposed project is located in an area with an approved conformity SIP; therefore, the following qualitative PM<sub>10</sub> hot-spot analysis is required and meets the existing SIP conformity procedures. A qualitative PM<sub>10</sub> hot spot analysis was performed for the project following the *Technical Report: Particulate Matter and Transportation Project Analysis Protocol* (PM<sub>10</sub> protocol) (UCD, Caltrans, FHWA; 2005). Figure 1 of the PM<sub>10</sub> protocol illustrates a step-by step process for a qualitative PM<sub>10</sub> hotspot analysis. The first step for nonattainment areas, called Chart 2 in Figure 1, is a “project comparison” approach to compare the PM<sub>10</sub> impacts with similar projects. If the project cannot be screened out following Chart 2, the user is directed to Chart 3, which is a “threshold screening” analysis that takes advantage of real-world measurements of the contribution of roadways to observed PM<sub>10</sub> concentrations. Finally, if the project cannot be screened out following Chart 3, the user is directed to Chart 4, which is a “relocate-and-reduce, build-vs.-no-build” approach that assesses whether a project would spatially reallocate traffic to reduce hot spot problems. Due to the lack of information for similar projects in a similar location as the proposed project, the proposed project could not be screened out following Chart 2. Therefore, the PM<sub>10</sub> hot spot analysis was performed using the “threshold screening” method summarized in Chart 3 of the PM<sub>10</sub> protocol. Since PM<sub>10</sub> has two ambient air quality standards, a 24-hour and an annual arithmetic mean, the “threshold screening” method evaluates the potential for a PM<sub>10</sub> hot spot against both standards. The following discussion presents the questions and answers from the Chart 3 flowchart in the PM<sub>10</sub> Protocol to demonstrate PM<sub>10</sub> hot spot conformity.

1. At the most representative monitor for the proposed project site, are background 24-hour PM<sub>10</sub> concentrations less than 120 µg/m<sup>3</sup>?

Yes. This step conservatively assumes that the incremental increase of the PM<sub>10</sub> ambient concentrations due to a project would be 29.6 µg/m<sup>3</sup>, which was the highest PM<sub>10</sub> contribution of all roadway type projects observed in the available literature (Ashbaugh et al., 1996; UCD, Caltrans, and FHWA, 2005). Because the 24-hour PM<sub>10</sub> NAAQS is 150 µg/m<sup>3</sup>,

the proposed project would be considered not to cause a hot spot violation if the 24-hour background concentration of the area is less than  $120 \mu\text{g}/\text{m}^3$  ( $150 \mu\text{g}/\text{m}^3$  minus  $29.6 \mu\text{g}/\text{m}^3$ ), or 80 percent of the NAAQS. Table 3.3-2 shows that the maximum 24-hour  $\text{PM}_{10}$  concentration measured during each of the past 3 years (2002-2004) were 61, 72, and  $54 \mu\text{g}/\text{m}^3$ , respectively, or 41, 48, and 36 percent of the NAAQS. Because these ambient concentrations are less than  $120 \mu\text{g}/\text{m}^3$  or 80 percent of the NAAQS, and no unusual circumstances are expected with the project compared to existing conditions, the proposed project would be unlikely to contribute to a violation of the 24-hour  $\text{PM}_{10}$  NAAQS and passes the conformity analysis.

2. At the most representative monitor for the proposed project site, are annual average concentrations expected to be less than 64% of the annual standard (or  $32 \mu\text{g}/\text{m}^3$ )?

No. As shown in Table 3.3-2, the highest background annual  $\text{PM}_{10}$  concentration measured at the Santa Clarita Station during the last 3 years was  $33 \mu\text{g}/\text{m}^3$ .

3. Calculate the annual threshold value, is the projected annual background  $\text{PM}_{10}$  concentration less than the annual threshold (or  $17 \mu\text{g}/\text{m}^3$ )?

Yes. First, the annual increment was estimated by applying a conversion ratio (CR) to convert the 24-hour increment value to annual values using the following equation:

$$\text{Annual } \text{PM}_{10} \text{ increment} = \text{CR} \times \text{24-hour } \text{PM}_{10} \text{ increment} \quad (\text{Equation 1})$$

The worst-case CR value calculated for the project was 0.54 (year 2002 data, 33 divided by 61). Using the worst-case 24-hour  $\text{PM}_{10}$  increment of  $29.6 \mu\text{g}/\text{m}^3$ , the worst-case annual  $\text{PM}_{10}$  incremental increase due to the proposed project would be  $16 \mu\text{g}/\text{m}^3$  ( $29.6 \mu\text{g}/\text{m}^3$  multiplied by 0.54). Next, the annual threshold ( $17 \mu\text{g}/\text{m}^3$ ) was calculated using the following equation:

$$\text{Annual threshold} = \text{Annual } \text{PM}_{10} \text{ NAAQS } (50 \mu\text{g}/\text{m}^3) - \text{Background } (33 \mu\text{g}/\text{m}^3).$$

The projected annual background concentration of  $16 \mu\text{g}/\text{m}^3$  is less than the estimated annual threshold of  $17 \mu\text{g}/\text{m}^3$ . Therefore, the proposed project has passed the  $\text{PM}_{10}$  hot spot conformity analysis.

## Conclusion

Following the  $\text{PM}_{10}$  Protocol, the proposed project has passed the project-level transportation conformity screening tests. The project would be unlikely to contribute to a violation of the

24-hour and annual PM<sub>10</sub> NAAQS. Therefore, the proposed project satisfies the project-level PM<sub>10</sub> conformity requirement.

The proposed project demonstrates project-level conformity because the analysis shows the project would not contribute to or cause a violation of the CO, PM<sub>2.5</sub>, or PM<sub>10</sub> national standards. Therefore, no measures to minimize harm for operational impacts are necessary.

### 3.3.3 Temporary Impacts

#### Construction Phase Impacts

Emissions of ozone precursors (NO<sub>x</sub> and volatile organic compounds [VOC]) from soil-disturbing activities and heavy-duty equipment associated with construction can potentially impact air quality. In addition, vehicles of commuting workers, offsite truck trips, and truck travel on unpaved roads would also generate emissions of PM<sub>10</sub>, NO<sub>x</sub>, and VOCs which could potentially impact air quality.

A detailed air quality impact analysis for construction was conducted using URBEMIS2002 (version 8.7), on-road emission factors from SCAQMD, and the SCAQMD CEQA handbook (SCAQMD, 1993), to evaluate the impact of construction emissions. The results of the analysis were compared to the SCAQMD Significance Thresholds.

Construction of the proposed project can be divided into two activities: roadway, and bridge and walls. Portions of these two activities may overlap during the construction period of approximately 24 months. Therefore, construction emissions were quantified for the scenario with the greatest overlap in pieces of equipment used and soil-disturbing activities to evaluate the maximum potential air quality impact. As shown in Table 3.3-4, the construction emissions for the scenario analyzed would be below the SCAQMD CEQA Significance Thresholds, therefore, construction emissions would be less than significant.

**Table 3.3-4. Construction Emissions**

	Emissions (lb/day)				
	NO <sub>x</sub>	PM <sub>10</sub>	CO	ROG	SO <sub>2</sub>
Construction Emissions	88	120	79	11	0.1
SCAQMD Significance Threshold	100	150	550	75	150

**Notes:**

Emissions calculated using the following assumptions:

1. One piece of each type of the following equipment operate 8 hr/day:  
Loader, dozer, earthmover, roller, cement pump, and backhoe.
2. 3 acres disturbed per day.
3. 30,000 ft<sup>3</sup> of material imported to site.
4. 0.5 acres of stockpiles.

### 3.3.4 Measures to Minimize Harm

The construction emissions analysis summarized in section 3.1 demonstrated that construction emissions would be less than significant so mitigation is not necessary. However, construction operations are required to comply with SCAQMD Rule 403 because this rule applies to “any activity or man-made condition capable of generating fugitive dust.” It is not anticipated that the volume of earth-moving would exceed 5,000 cubic yards for three times during the most recent 365-day period. In addition, the disturbed surface area would be less than 50 acres. Therefore, the proposed project is not a large operation as defined by SCAQMD Rule 403. The additional control measures for large operations listed in Rule 403 would not apply to the proposed project. The Best Available Control Measures (BACMs) from Rule 403, applicable to this project, are shown in Table 3.3-5, and must be incorporated in a Dust Control Plan for construction.

**Table 3.3-5. Best Available Control Measures**

Source Category	Control Measure	Guidance
Backfilling	01-1 Stabilize backfill material when not actively handling;	Mix backfill soil with water prior to moving
	01-2 Stabilize backfill material during handling; and	Dedicate water truck or high capacity hose to backfilling equipment
	01-3 Stabilize soil at completion of activity	Empty loader bucket slowly so that no dust plumes are generated  Minimize drop height from loader bucket
Clearing and Grubbing	02-1 Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and	Maintain live perennial vegetation where possible
	02-2 Stabilize soil during clearing and grubbing activities; and	Apply water in sufficient quantity to prevent generation of dust plumes
	02-3 Stabilize soil immediately after clearing and grubbing activities	
Cut and Fill	05-1 Pre-water soils prior to cut and fill activities;	For large sites, pre-water with sprinklers or water trucks and allow time for penetration
	05-2 Stabilize soil during and after cut and fill activities	Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts
Disturbed Soil	07-1 Stabilize disturbed soil throughout the construction site; and	Limit vehicular traffic and disturbances on soils where possible
	07-2 Stabilize soil between structures	If interior block walls are planned, install as early as possible

Source Category	Control Measure	Guidance
Earth-moving Activities	08-1 Pre-apply water to depth of proposed cuts; and	Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes
	08-2 Re-apply water as necessary to maintain soils in a damp condition and to ensure visible emissions do not exceed 100 ft in any direction; and	Grade each project phase separately, timed to coincide with construction phase Upwind fencing can prevent material movement on site
	08-3 Stabilize soils once earth-moving activities are complete.	Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes
Importing/Exporting Bulk Materials	09-1 Stabilize material while loading to reduce fugitive dust emissions; and	Use tarps or other suitable enclosures on haul trucks
	09-2 Maintain at least six inches of freeboard on haul vehicles; and	Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage
	09-3 Stabilize material while transporting to reduce fugitive dust emissions; and	Comply with track-out prevention/mitigation requirements
	09-4 Stabilize material while unloading to reduce fugitive dust emissions; and	Provide water while loading and unloading to reduce visible dust plumes
	09-5 Comply with Vehicle Code Section 23114.	
Stockpiles/ Bulk Material Handling	14-1 Stabilize stockpiled materials.	Add or remove material from the downwind portion of the storage pile
	14-2 Stockpiles within 100 yards of off-site occupied buildings must not be greater than eight feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.	Maintain storage piles to avoid steep sides or faces
Traffic Areas for Construction Activities	15-1 Stabilize all off-road traffic and parking areas; and	Apply gravel/paving to all haul routes as soon as possible to all future roadway areas
	15-2 Stabilize all haul routes; and	
	15-3 Direct construction traffic over established haul routes.	Barriers can be used to ensure vehicles are only used on established parking areas/haul routes
Truck Loading	17-1 Pre-water material prior to loading; and	Empty loader bucket such that no visible dust plumes are created
	17-2 Ensure that freeboard exceeds six inches (CVC 23114)	Ensure that the loader bucket is close to the truck to minimize drop height while loading

### 3.4 Noise

The following section is based on a technical report titled, *Final Noise Analysis*, prepared by CH2M HILL in August 2004 (CH2M HILL, 2004c).



### 3.4.1 Affected Environment

Vehicular traffic on SR 126 is the dominant source of noise in the project area. Other environmental noise levels include noise from occasional distant aircraft overflights and faint sound levels generated by distant traffic on I-5. However, these other sources do not contribute to noise levels measured onsite as described below. Land areas surrounding the project site are primarily undeveloped, open land. There are no permits issued for development of noise-sensitive uses within the project corridor. Some of the land outside the state right-of-way may be developed as commercial buildings. For determination of noise impacts, the FHWA has defined various land use categories in 23 Code of Federal Regulations (CFR) 772. Typical noise-sensitive areas are within the Category B land use which, as defined by FHWA, includes residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and public parks. The only existing developed land use that could be considered a Category B receiver is the Valencia Travel Village, which is located at the west end of the project and south of SR 126. The Travel Village provides parking and other accommodations for travelers using RVs.

Existing 2004 peak-hour noise levels were measured at four receiver locations identified as 1 through 6 (Figures 3.4-1 and 3.4-2). These receiver locations were selected for use in predicting noise levels within Valencia Travel Village. Existing peak-hour noise levels for the selected receivers are summarized in Table 3.4-1. FHWA, Caltrans, and Los Angeles County criteria are shown for comparison. These data show that existing noise levels within the Travel Village, closest to SR 126 (Receiver Location 2), approach the Caltrans noise abatement criteria. At the location of the outdoor pools (4) and other interior stalls, existing noise levels are in compliance with the Los Angeles County, Caltrans, and FHWA noise impact criteria.

**Table 3.4-1. Existing Peak-Hour Noise Levels (in dBA)**

Receiver Location	FHWA/Caltrans Approach / Exceed Criterion	L.A. County Criterion	Existing Noise Level
1	66	65	63
2	66	65	<b>66</b>
3	66	65	<b>68</b>
4	66	65	61
5	66	65	64
6	66	65	57

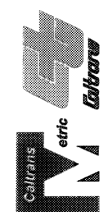
Bold numbers identify locations where existing  $L_{eq}$  approaches or exceeds the noise abatement criteria.

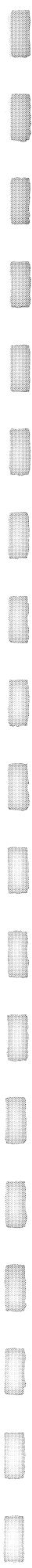
Source: CH2M HILL.



**Figure 3.4-1**  
**Noise Level Measurement Locations**  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)

⑦ Noise Monitoring Locations





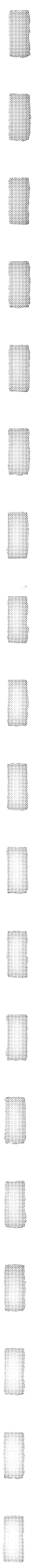




# Noise Monitoring Locations



**Figure 3.4-2**  
**Noise Level Measurement Locations**  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



### 3.4.2 Permanent Impacts

#### Methodology

Traffic noise levels were evaluated using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108) as coded into the SOUND32 computer program. The FHWA model is the analytical method currently favored by most state and local agencies, including Caltrans, for highway traffic noise prediction. The model is based upon reference energy emission levels for automobiles, medium trucks (two axles), and heavy trucks (three or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA model was developed to predict hourly equivalent steady-state sound level ( $L_{eq}$ ) values for free-flowing traffic conditions, and it is generally considered to be accurate within +1.5 decibels (dB). The SOUND32 version of the FHWA model uses Caltrans traffic noise emission curves, which are recommended by Caltrans to more accurately calculate noise levels generated by California traffic.

#### Impacts

The SOUND32 computer program was used to calculate future (2025) Build and No Build traffic noise levels from SR 126 in terms of peak-hour  $L_{eq}$ . The same six sites, as discussed in Section 3.4.1, representing receiver locations inside the Valencia Travel Village were analyzed. Table 3.4-2 summarizes future Build and No Build traffic noise levels at these locations in terms of the state/federal and county criteria. These data show that future (2025) traffic noise levels for both the Build and No Build conditions exceed the 66-dBA criterion at all selected receiver locations within the Valencia Travel Village.

**Table 3.4-2. Projected Future (2025) Peak-Hour Noise Levels (in dBA)**

Receiver Location	2004 Existing	2025 No Build	2025 Build	FHWA/Caltrans Criterion	L.A. County Criterion*
1	63	<b>68</b>	<b>68</b>	66	65
2	<b>66</b>	<b>70</b>	<b>71</b>	66	65
3	<b>68</b>	<b>71</b>	<b>73</b>	66	65
4	61	65	65	66	65
5	64	<b>70</b>	<b>72</b>	66	65
6	57	63	<b>66</b>	66	65

\*The Los Angeles County criterion is in terms of Ldn. Assuming a day/night traffic volume split of 85/15 percent and a peak-hour volume of 10 percent ADT, noise level in terms of Ldn would be about the same as peak-hour  $L_{eq}$ .

Bold numbers identify locations where peak-hour  $L_{eq}$  approaches or exceeds the noise abatement criteria.

Source: CH2M HILL.

### 3.4.3 Temporary Impacts

#### Construction Phase Impacts

During the construction phase, noise from construction activities would add to the noise environment in the immediate project area. Activities involved in construction would generate noise levels, as indicated in Table 3.4-3, ranging from 82 to 86 decibels A-rated (dBA) at a distance of 30 meters (100 feet). The distance from the project construction activities to the nearest parking areas within Valencia Travel Village would be approximately 25 to 30 meters (80 to 100 feet). Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Construction at night would not occur; therefore, sleep disruptions are not anticipated.

**Table 3.4-3. Construction Equipment Noise**

Construction Phase	Loudest Equipment	Maximum Sound Level at 30 Meters (100 Feet) (dBA)
Clearing and Grubbing	Bulldozer, backhoe	83 dBA
Earthwork	Scraper, bulldozer	85 dBA
Foundation	Backhoe, loader	82 dBA
Superstructure	Crane, loader	83 dBA
Base Preparation	Truck, bulldozer	85 dBA
Paving	Paver, truck	86 dBA

Source: U.S. Department of Transportation, 1977.

Noise would also be generated during the construction phase by increased truck traffic on area roadways associated with transport of heavy materials and equipment. This noise increase would be of short duration, and would probably occur primarily during daytime hours. The diversion of traffic onto local roads and to traffic "bottle-neck" areas might also create temporary noise impacts.

Using simple divergence over distance (6 dBA reduction per doubling of distance), resulting estimated pile driver noise level would be 80 dBA at 213 meters (700 feet). This estimate is for an impact pile driver. Depending on soil conditions in the area, alternative pile driving methods, such as vibratory pile driving, may be practical, which would result in a reduction of 5 dBA in noise levels (75 dBA). Additional noise reduction could be realized through shielding provided either by natural terrain or by placement of temporary barriers or excess soil generated through construction between the noise source(s) and receiving areas.

### 3.4.4 Abatement Measures

#### Permanent Measures

Potential traffic noise abatement measures that may be considered for the project include the following:

- Construction of a noise barrier along the south side of SR 126
- Depressing the roadway
- Modifying the proposed alignment of the road
- Modifying speed limits
- Restricting truck traffic

Based on the cumulative project impacts to traffic noise levels for both the Build and No-Build conditions which approach and exceed the 66-dBA criterion at all selected receiver locations within Valencia Travel Village. Increases in peak-hour traffic noise levels from existing to future No-Build condition are expected to be in the 3 to 6 dBA range. Under the future Build condition, peak-hour noise levels would increase by 4 to 9 dBA. Such increases are primarily due to considerable increases in peak-hour traffic volumes in the project area which is expected to increase three-fold by 2025. Table 3.4-4 shows the results of the noise barrier modeling analysis.

**Table 3.4-4. Future Peak-Hour Noise Levels With Noise Barrier Calculations (in dBA)**

Receiver Location	Build Alternative/ No Barrier	2.5-Meter (8-Foot) Barrier	3-Meter (10-Foot) Barrier	3.6-Meter (12-Foot) Barrier	4.2-Meter (14-Foot) Barrier
1	68	<b>64</b>	62*	60	<b>59</b>
2	71	<b>64</b>	62*	61	60
3	73	<b>63*</b>	62	61	60
4	65	<b>63*</b>	61	60	58
5	72	69	67	66*	<b>64</b>
6	66	<b>63</b>	62	61*	60

\*Barrier at this height breaks the line-of-sight between a 3.5 meter (11.5-foot) truck stack and receiver. Cells with **bold** letters indicate barrier heights meeting the Caltrans and FHWA noise level criteria. Shaded cells indicate barrier heights providing a minimum noise level reduction of 5 dBA. Assumed barrier locations are along the SR 126 right-of-way.  
Source: CH2M HILL.

Of the above abatement measures, the noise barrier option is usually the most practical, reasonable, and effective choice. The other options would be inconsistent with the project purpose; therefore, they would be impractical. Table 3.4-4 shows the results of the noise barrier modeling analysis. Caltrans requires a 5-dBA noise reduction for a barrier to be considered feasible abatement, hence the need for a 14-foot wall; this also satisfies the Los Angeles County assumed noise level criterion. Therefore, based on determination in the July 2006 Noise Analysis for the SR 126 Commerce Center Drive Interchange Project a noise barrier of heights between 3 meters (10 feet) and 4.2 meters (14 feet) above the roadway



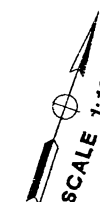
surface would reduce future traffic noise levels within the Valencia Travel Village to acceptable levels, Figure 3.4-3A, 3.4-3B, and 3.4-3C show the noise barrier locations.

Based on determination in the July 2006 Noise Analysis for the SR 126 Commerce Center Drive Interchange Project reasonableness factor based on the ratio of total allowance for noise abatement versus the cost of the project without noise abatement does not affect the reasonable allowance because the total cost of noise barriers is much less than 50 percent of the project cost. A right-of-way barrier of a height of 3.05 meters (10 feet) above the SR 126 pavement would provide 6 to 9 dBA of noise reduction for these lots. Therefore, the total allowance per benefited unit would be \$27,000. The total allowable cost for constructing a noise barrier for Valencia Travel Village would be 1,997,000 dollars. Assuming an occupancy rate of 50 percent for Valencia Travel Village, the reasonableness allowance would be 998,500 dollars (or nearly, \$1,000,000). The required noise barrier would be 862.5 meters (2,830 feet) long and vary in its heights between 3.05 to 4.27 meters (10 to 14 feet). The estimated cost of this noise barrier, assuming a unit noise barrier cost of \$25 per square foot, would be approximately \$782,000. Therefore, the noise barrier would be feasible and reasonable to construct.

If pertinent parameters change substantially during the final project design, the preliminary noise abatement mitigation design may be changed or eliminated from the final projects design. A final decision of the construction of the noise abatement will be made upon completion of the project design and public input. The proposed measure to minimize harm is for the currently proposed SR 126 Commerce Center Interchange Project and the existing land use and structures identified within the project area. Any changes to the land use in the future within the project area would be outside the scope of this project and would result in the decision-makers responsibility (i.e. Local Agency, Developer) to determine and implement noise abatement measures that would be outside of FHWA and Caltrans funding capabilities. To be effective, the barrier should be constructed of massive materials, and should be continuous without gaps or openings that could result in flanking paths and reduce barrier performance.

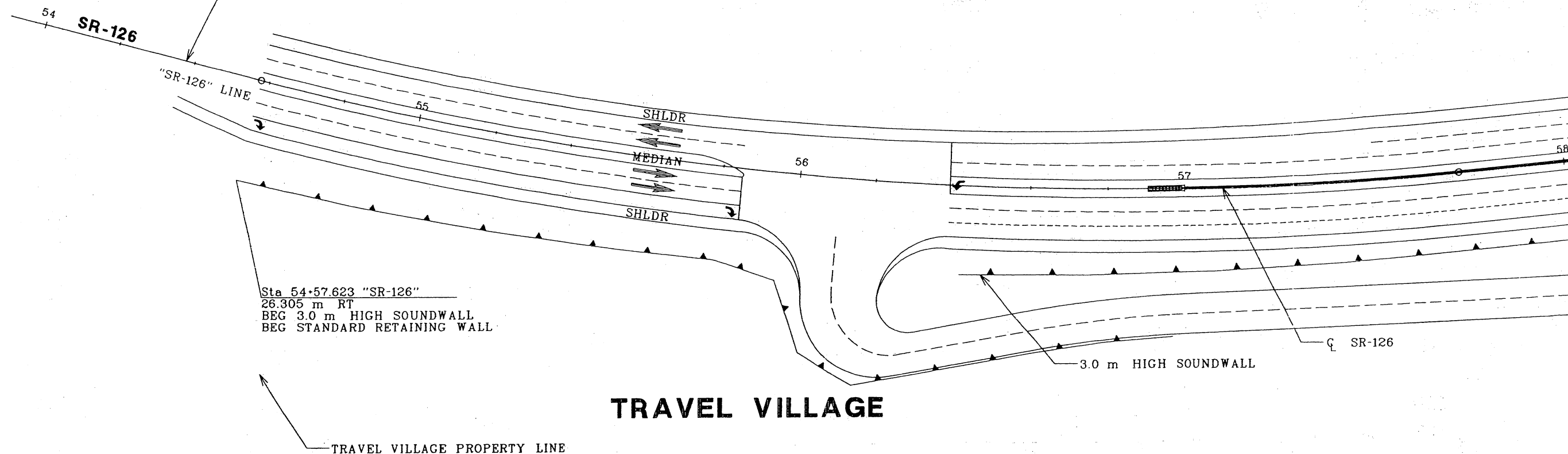
It should also be noted that noise barriers can have their own negative impacts. Barriers may interfere with the passage of air, interrupt scenic views, create objectionable shadows, or reduce or eliminate visibility of a business from the roadway. Barriers could also create maintenance access problems, make it difficult to maintain landscaping, create drainage problems, and provide pockets for trash and garbage to accumulate. While a noise barrier may be beneficial for the Valencia Travel Village for noise reasons, it would result in the business losing its visibility from SR 126. Therefore, all abatement measures, if meeting the FHWA/Caltrans noise abatement criteria and determined to be feasible, will be designed with the consent and cooperation of the owner(s) of the Valencia Travel Village.

NOTE: SOUNDWALL LOCATION BASED ON FUTURE SR-126 WIDENING IMPROVEMENTS  
SEE PROJECT REPORT FOR DETAIL SHOWING SOUNDWALL ON STD RETAINING WALL



BEG COMMERCE CENTER DRIVE INTERCHANGE PROJECT

## FUTURE COMMERCE CENTER



## TRAVEL VILLAGE

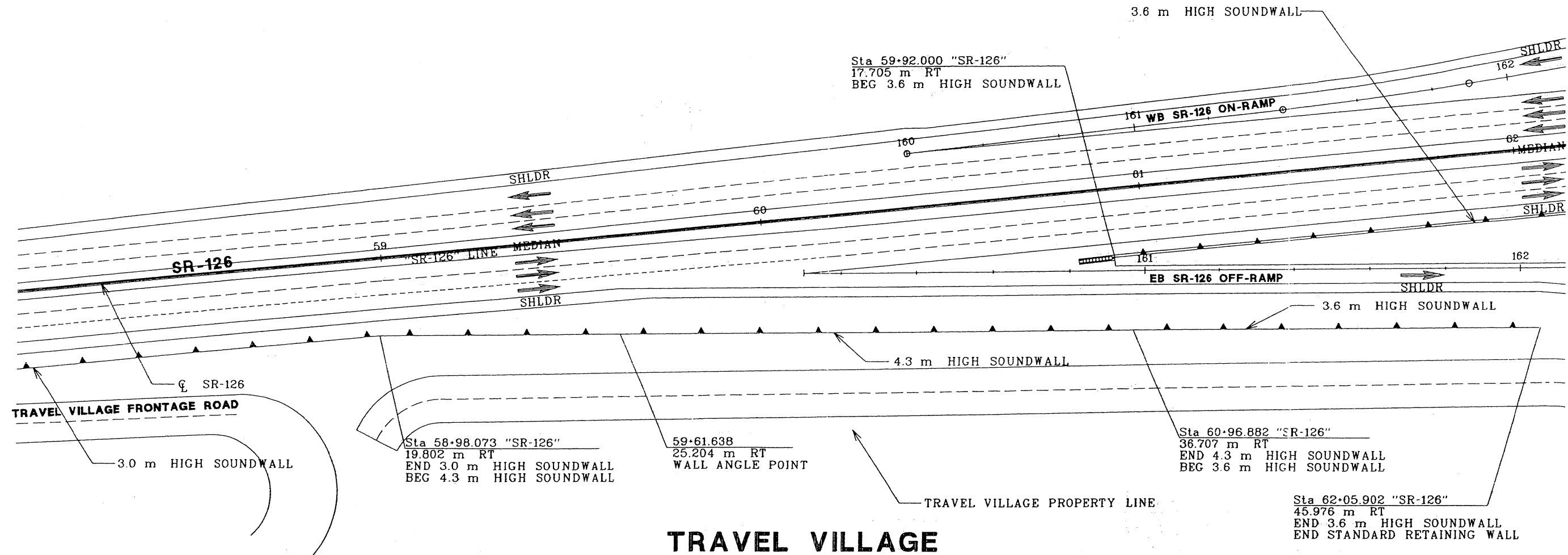
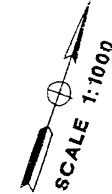
### LEGEND

	SOUNDWALL ON
	STD RETAINING WALL

Figure 3.4-3a  
Potential Noise Barrier Location  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)

NOTE: SOUNDWALL LOCATION BASED ON FUTURE SR-126 WIDENING IMPROVEMENTS  
SEE PROJECT REPORT FOR DETAIL SHOWING SOUNDWALL ON STD RETAINING WALL

## FUTURE COMMERCE CENTER



### LEGEND

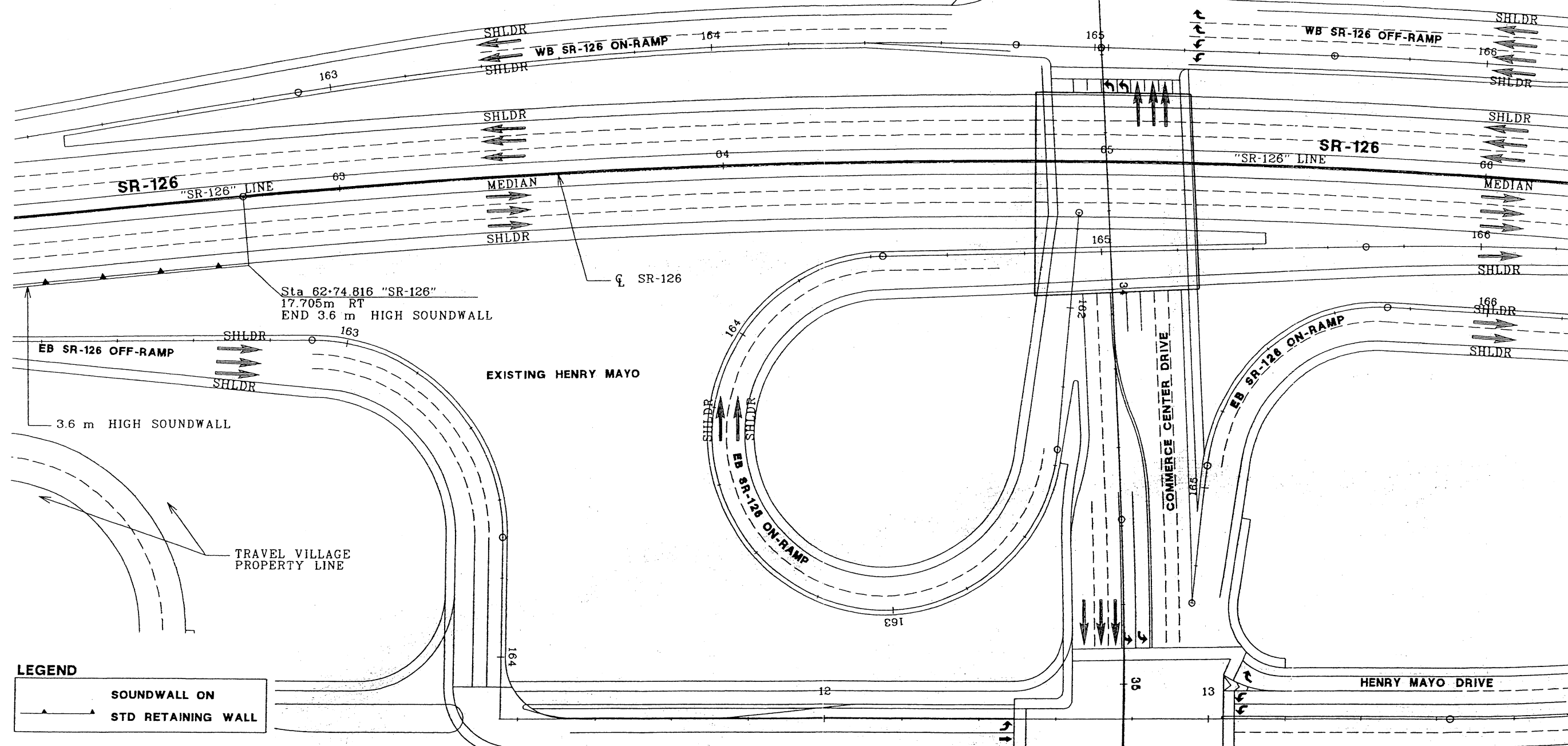
	SOUNDWALL ON
	STD RETAINING WALL

Figure 3.4-3b  
Potential Noise Barrier Location  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)

NOTE: SOUNDWALL LOCATION BASED ON FUTURE SR-126 WIDENING IMPROVEMENTS  
SEE PROJECT REPORT FOR DETAIL SHOWING SOUNDWALL ON STD RETAINING WALL

## FUTURE COMMERCE CENTER

SCALE 1:1000



### LEGEND

SOUNDWALL ON  
STD RETAINING WALL

Figure 3.4-3c  
Potential Noise Barrier Location  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)

## **Construction Measures**

Equipment operating at the project site will conform with contractual specifications requiring the contractor to comply with all local noise control rules, regulations, and ordinances. However, there are no FHWA or Caltrans criteria for mitigating construction noise impacts. Despite the lack of criteria for construction noise abatement, the following standard Caltrans measures will be implemented to minimize such impacts:

- Whenever possible, the operation of heavy equipment and other noisy procedures shall be limited to daylight hours; otherwise a nighttime noise variance will be required.
- The installation and maintenance of effective mufflers on equipment.
- Construction equipment shall be required to maintain all engine covers, shields, and screening from the manufacturer.
- Location of equipment and vehicle staging areas as far from the Valencia Travel Village as possible.
- Limit unnecessary idling of equipment.

## **3.5 Energy**

### **3.5.1 Affected Environment**

Energy consumption will be required for the construction of the proposed interchange project. The primary energy type/source is expected to be fossil fuels and electricity.

The interchange project would be located primarily within the County of Los Angeles, near the City of Santa Clarita. Electricity within this portion of the County is provided by Southern California Edison (SCE). SCE generates power from sources such as the San Onofre generating plant, the Big Creek hydroelectric plant, and Etiwanda generating station (gas-fire generation) (SCE, 2002). Automobile and truck fueling stations are located throughout the area, primarily southeast of the project site, along developed sections of I-5.

### **3.5.2 Permanent Impacts**

Local energy demand for transportation projects typically is dominated by vehicle fuel usage. For this type of project, it is assumed that the energy consumption by vehicles is much larger than the incremental change in electrical energy consumption for any additional lighting (i.e., roadway lighting), which is expected to be minimal. Therefore, energy used from lighting would not have an impact on the environment.

As shown in the air quality and traffic analyses of the project (Sections 3.3 and 3.18, respectively), construction of the Build Alternative would not impact the local air quality and traffic patterns of the project area. Based on the traffic analysis, the project would improve operations along SR 126, and at Commerce Center Drive, resulting in less vehicle delay (i.e., idle time that would occur if the intersection continued to be at-grade). The free-flow characteristics of the proposed grade-separated interchange would minimize vehicle delay and reduce the need for vehicle fuel consumption. Therefore, the proposed SR 126/Commerce Center Drive interchange would not have an adverse effect on local energy demand.

### **3.5.3 Temporary Impacts**

The construction of the proposed interchange would require the use of additional fuel and electricity. Construction vehicles and tools would create additional demand for fuel and electricity. However, because of the temporary nature of the construction period of the project, impacts to energy resources would be minimal and would not have an adverse effect on the environment.

### **3.5.4 Measures to Minimize Harm**

Measures to minimize harm are not required.

## **3.6 Wetlands and Other Waters of the United States**

### **3.6.1 Affected Environment**

Under Section 404 of the Clean Water Act, the USACE regulates the discharge of fill and dredged material into “waters of the United States,” which are broadly defined in 33 CFR 328.3(a). Waters of the United States is defined as the ordinary high-water mark, unless adjacent wetlands are present. The term “ordinary high-water mark” means the line on the shore or edge of a channel established by the fluctuation of water and indicated by physical characteristics such as a clear natural line impressed on the bank, shelving, destruction of vegetation, debris, etc. The Final EIS/EIR for the 404 Permit and 1603 Permit for Portions of the Santa Clara River and Its Tributaries discussed the delineation of wetlands in the vicinity of this proposed project (USACE, 1998a). In that document, the USACE and the applicant agreed to the limits of the jurisdiction of USACE for the analysis of the EIS/EIR.

The Santa Clara River was previously delineated under the NRMP. The jurisdiction of the USACE and CDFG is shown in Exhibit 3. Areas of wetlands and waters of the United States

were not delineated separately because of the long-term nature of the 404 permit and the transitory nature of the Santa Clara River.

The SR 126/Commerce Center Drive interchange was one of the projects whose impacts were specifically identified in the NRMP. Detailed project-level limits of the riverbed and jurisdictional Waters of the U.S. were determined and certified by the USACE when the Individual 404 permit (94-00504-BAH) was issued to Valencia Company (then Newhall Land) in November 1998. The USACE acknowledged that the riverbed area defined in the NRMP was conservative and contained areas that would not likely be delineated as jurisdictional waters or wetlands. A copy of the wetland delineation is included (see Figure 3.6-1) and shows the generalized location of the proposed Commerce Center bridge and bank protection relative to the shaded area within Castaic Creek and the Santa Clara River (USACE, 1998b). Those shaded areas represent the area regarded conservatively through the NRMP process to be USACE jurisdictional water and/or wetland. (Refer to NRMP Figure 1c [or Figure 2-2c in the NRMP Final EIR/EIS] for a legible copy of this figure.)

Approval of the NRMP included conditions that require each individual project component constructed over the life of the permit to pass through a preconstruction verification process prior to project implementation. A Verification Request Letter (VRL) must be submitted to the USACE that contains: vegetation type boundaries at the project site; anticipated biological impacts; limits of construction disturbance; need for stream diversions; any pertinent environmental protection measures; statement on the consistency with the NRMP and 404 permit; and compliance with environmental protection measures for threatened and endangered species, water quality, and riparian habitats. Based upon the earlier review and approval by the USACE of the NRMP, no further wetland delineation is required for the VRL to be submitted for this project.

### **3.6.2 Permanent Impacts**

Jurisdictional areas, defined by the USACE and CDFG, within the Santa Clara River were delineated as part of the EIS/EIR for the 404 Permit and 1603 Streambed Alteration Agreement for Portions of the Santa Clara River and Its Tributaries (USACE, 1998a) and the NRMP (USACE, 1998b), as part of a larger group of projects being developed by Newhall Land. A total of 4.12 hectares (10.17 acres) of impacts to wetlands, all of which is considered jurisdiction by the ACOE and CDFG, will result from construction of the proposed project. Areas of wetlands and waters of the United States, defined by the USACE, were not delineated separately for this project because of the long-term nature of the 404 permit and the transitory nature of the Santa Clara River. Impacts to wetlands and

Waters of the United States resulting from this proposed project are not listed separately, because these impacts are discussed within the NRMP as a component of the proposed NRMP project.

### **3.6.3 Temporary Impacts**

Temporary impacts to wetlands and waters of the United States resulting from the construction of this proposed project are not listed separately because these impacts are discussed and addressed within the NRMP.

### **3.6.4 Measures to Minimize Harm**

Impacts of this project were previously analyzed in the aforementioned EIR/EIS, and the following measures to minimize harm will be implemented:

**BIO-4 (a)** Construction activities shall be limited to the following areas of temporary disturbance: (1) an 85-foot-wide zone that extends into the river from the base of the riprap or gunite bank protection where it intercepts the river bottom and (2) 20-foot-wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the Verification Request Letter (see BIO-5 (m)) that are submitted to the CDFG and USACE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed and the postconstruction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or adverse human intrusion shall occur outside the work area and access roads..

**BIO-4 (b)** All native riparian trees with a 4-inch diameter at breast height (dbh) or greater that must be removed in areas to be temporarily disturbed will be replaced at a 3:1 ratio. Following completion of the construction activities, the appropriate number of 1- to 5-gallon container plants will be transplanted to the site during the winter. The growth and survival of the replacement trees will meet the performance standards specified in BIO-5(e) and (f). In addition, the growth and survival of the planted trees will be monitored for 5 years in accordance with the methods and reporting procedures specified in Mitigation Measure BIO-5.

**BIO-4 (c)** Native vegetation within temporary construction areas will be stockpiled and, following completion of construction activities, mulched and spread over the temporary





200 0 200 400 Feet



Source: Bonterra, 2004.

**Figure 3.6-1**  
**Potential Impact Area**  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



effect areas. Areas temporarily disturbed by construction activities will also be weeded annually, as needed, for up to 5 years following construction. These areas will be monitored annually for 5 years after construction to document colonization by weeds and native plants. Weeds will be removed by hand, an approved herbicide application, and/or by equipment. In the event that native plant cover does not reach 50 percent of the preconstruction native plant cover within 3 years, Newhall Land will revegetate the temporary construction area in accordance with the methods specified in BIO-5. Annual monitoring reports on the status of the natural recovery of temporarily disturbed areas will be submitted to USACE, USFWS, and CDFG as part of the Annual Mitigation Status Report (see BIO-5 (n)) and Mitigation Accounting Form (see BIO-5 (l)) to be submitted to USACE, USFWS, and CDFG by April 1 of each year.

**BIO-5 (a)** The permanent removal of riparian habitats (EIS mapping units 1 through 4 and 5 through 8) in the riverbed and “upland impact zone” (as defined in the EIS/EIR) shall be replaced by creating riparian habitats of similar functions and values in the project area. Wetland restoration shall be in-kind and at a 1:1 replacement ratio (except as indicated in Item [d]) for new habitat installed 2 years in advance of the removal of habitat at the construction site. If replacement habitat cannot be installed 2 years in advance of the project, the ratios listed below will apply. As described in Item (d), lower replacement ratios may be appropriate if a USACE-approved hydrogeomorphic method (HGM) of assessing replacement ratios indicates lower ratios would ensure replacement of habitat values and functions.

Timing of Mitigation	Value of Habitat Affected*	Proposed Ratio Required for Revegetation
Habitat installation completed 2 years or more prior to construction impact	N/A	1:1
Habitat installation completed less than 2 years in advance of impact	Low	1:1
	Medium	2:1
	High	3:1

High = (EIS/EIR mapping units 1, 2, 3, 6), Medium = (EIS/EIR mapping units 4, 7), and Low = (EIS/EIR mapping units 5, 8).

**BIO-5 (b)** Newhall Land shall mitigate for the removal of riparian habitats contiguous with riverbed riparian habitat that may occur outside the “upland impact zone.” The replacement of these types of habitats would occur in association with the development of a project identified in the NRMP, and shall follow the procedures for the replacement in-channel habitats, as described in this mitigation measure.

**BIO-5 (c)** Creation of new riparian habitats shall occur at suitable sites in or adjacent to the watercourses included in the NRMP. Habitat restoration sites in the riverbed shall be located only in areas where the predominant habitats present are dry, open floodplain; and weedy restoration sites should be new riverbed areas created during the excavation of uplands for bank protection projects in the NRMP. Restoration sites may also occur at locations outside the riverbed where there are appropriate hydrologic conditions to create a self-sustaining riparian habitat and where upland and riparian habitat values are absent or very low. All sites shall contain suitable hydrological conditions and surrounding land uses to ensure a self-sustaining functioning riparian habitat. Candidate restoration sites shall be selected by Newhall Land and described in the *Annual Mitigation Status Report* that will be submitted to the USACE by April 1 of each year. Sites will be approved when restoration plans are submitted to the USACE and CDFG as part of the *Verification Request Letters* submitted for individual projects, or as part of the *Annual Mitigation Status Report* and *Mitigation Accounting Form*.

**BIO-5 (d)** Replacement habitat shall be designed to replace the functions and values of the habitats being removed. At this time, the replacement habitat shall be restored in accordance with the acreage replacement ratios described in Item (a). The replacement habitats shall have similar dominant trees and understory shrubs and herbs as the affected habitats. In addition, the replacement habitats shall be designed to replicate the density and structure of the affected habitats once the replacement habitats have reached mature status. Replacement ratios that are lower than those listed in Item (a) may be used if a USACE-approved HGM is applied in which habitat functions and values of both the affected habitat and the replacement habitat are quantified.

**BIO-5 (e)** Average plant spacing shall be determined based on an analysis of habitats to be replaced. Typical plant spacing is presented below for use in developing willow-cottonwood woodland habitat as an example only. Newhall Land shall develop similar tree spacing specifications for other habitats to be restored, such as wet mixed scrub, dry willow scrub, cottonwood woodland, scalebroom scrub, and wet herbaceous. Plant spacing specifications shall be reviewed and approved by the USACE and CDFG when restoration plans are submitted to the USACE as part of the *Verification Request Letters* submitted to the USACE and CDFG for individual projects or as part of the *Annual Mitigation Status Report* and *Mitigation Accounting Form*.

Species	Average Plant Spacing	Height	
		After 3 years	After 5 years
Arroyo willow	2.44m (8 ft)	3.05m (10 ft)	4.57m (15 ft)
Black willow	2.44-3.05m (8-10 ft)	3.66m (12 ft)	5.49m (18 ft)
Sandbar willow	2.44m (8 ft)	1.22m (4 ft)	1.82m (6 ft)
Red willow	2.44m (8 ft)	2.74m (9 ft)	4.57m (15 ft)
Cottonwood	6.10m (20 ft)	2.13m (7 ft)	3.66m (12 ft)

**BIO-5 (f)** Each tree and shrub species used in restoration shall have a minimum of 80 percent survival after 3 years and 70 percent survivorship after 5 years. Key indicator tree species to be used in the riparian restoration program shall achieve a minimum growth at the end of 3 years and 5 years as described above in Item (e). Performance standards for cover shall be developed for each individual habitat type being created, based on the observed natural cover in undisturbed habitats in the project area. These standards shall be approved by the USACE and CDFG after they have reviewed the *Annual Mitigation Status Report* and *Mitigation Accounting Form*. Minimum growth, survivorship, and cover performance at the mitigation sites shall be measured based on random samples taken during years 3 and 5 at each individual mitigation site, or at other sampling intervals if the USACE hydrogeomorphic methodology is used by Newhall Land.

**BIO-5 (g)** If the minimum growth, survivorship, and/or cover are not achieved at the time of the 3- and 5-year evaluations, then Newhall Land shall be responsible for taking the appropriate corrective measures as to achieve the specified growth, survivorship, and/or cover criteria. Newhall Land shall be responsible for any costs incurred during the revegetation or in subsequent corrective measures. If acts of God (flood, fires, or drought) occur after the vegetation has met the 3-year criteria for growth, survival, and cover, Newhall Land will not be responsible for replanting damaged areas. If these events occur prior to the plants meeting the 3-year criteria, Newhall Land shall be responsible for replanting the area one time only.

**BIO-5 (h)** Newhall Land shall be responsible for weeding all restoration sites to prevent an infestation of non-native weeds for a period of 5 years after the initial habitat restoration, regardless of the success of the planted species. The cover of non-native plant species at the mitigation sites shall not exceed 10 percent at any time, within this 5-year period.

**BIO-5 (i)** Temporary irrigation shall be installed, as necessary, for plant establishment. Irrigation shall continue as needed to meet the 3-to 5 year performance criteria regarding

survivorship and growth. Irrigation shall be terminated in the winter to provide the least stress on plants. Removal of the irrigation system shall occur in conjunction with appropriate “weaning” procedures to minimize plant stress. Irrigation shall be terminated at the earliest opportunity after achieving the 5-year criteria.

**BIO-5 (j) and BIO-5 (k)** As an alternative to the restoration of habitats to compensate for permanent removal of riparian habitats, Newhall Land (at the discretion of USACE and CDFG on a project-by-project basis) may remove exotic plant species from the project area in locations: (1) where there is an infestation of exotics such as *Arundo*, such that the natural habitat functions and values are substantially degraded and at risk, and where the cover of exotics is equal to or exceeds 25 percent of the ground or (2) other areas where exotic removal would be strategic in a watershed approach to weed management, as determined by the USACE and CDFG. The weed removal sites shall be selected in a logical manner to ensure that the eradication of weeds from specific sites will contribute to the overall control of exotics in the NRMP watercourses. Removal areas shall be kept free of exotic plant species for five years after initial treatment. In addition, native riparian vegetation must become established through natural colonization and meet the revegetation plant cover goals established by the USACE and CDFG under Item (f) after 5 years.

**BIO-5 (l)** To provide an accurate and reliable accounting system for mitigation, Newhall Land shall file a *Mitigation Accounting Form* annually with USACE and CDFG by April 1. This form shall document the amount of vegetation planted during the past year, the status of all mitigation credits to date, and any credits subtracted by projects implemented during the past year. Newhall Land will keep detailed records and provide the *Mitigation Accounting Form* to the USACE and CDFG annually for review for the life of the permit, or until all credits have been used up for individual projects. The USACE and CDFG shall provide concurrence within 30 working days, including written verification for all restoration and weed removal sites that meet the specified performance criteria. If there are any questions regarding the accounting, a meeting will be scheduled among Newhall Land, the USACE, and the CDFG.

**BIO-5 (m)** If Newhall Land does not have sufficient mitigation credits for an upcoming project and is, therefore, planning to restore habitat or remove exotics concurrent with project implementation, project-specific plans for restoring habitats or for removing exotics from existing habitats shall be submitted to the USACE and CDFG as part of the *Verification Request Letters* for individual project approvals (as described in the alternative permitting process in the EIS/EIR).

**BIO-5 (n)** An *Annual Mitigation Status Report* shall be submitted to the USACE and CDFG by April 1 of each year for the life of the permit, or until 5 years after all mitigation has been completed. This report shall include any required plans for plant spacing, locations of candidate restoration and weed removal sites, restoration methods, weed removal plans, and habitat restoration performance standards. For active habitat creation sites, the report shall include the survival, percent cover, and height of planted species; the number of species of plants replaced; an overview of the revegetation effort and its success in meeting performance criteria; the method used to assess these parameters; and photographs. For active exotic species removal sites, the report shall include an assessment of weed removal; a description of the relative cover of native vegetation, bare areas, and exotic vegetation; colonization by native plants; and photographs. The report shall also include the *Mitigation Accounting Form* (see **BIO-5 (l)** above), which outlines accounting information related to species planted or exotic removed, and mitigation credit remaining.

**BIO-5 (o)** The mitigation program shall incorporate applicable principles in the interagency “Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks” (FR60;58605-58614), to the extent feasible and appropriate, particularly the guidance on administration and accounting. Nothing in the 404 permit shall preclude Newhall Land from selling mitigation credits to other parties wishing to use the 404 permit for a project and/or maintenance activity included in the 404 permit.

### 3.7 Vegetation

A Natural Environment Study (NES) was conducted for this proposed project (BonTerra, 2004). Survey methodology is discussed in the NES. The findings of surveys performed related to the preparation of the NES are summarized below. Additionally, Table A-1 in the NES provides a compendia of the floral species observed.

#### 3.7.1 Affected Environment

Vegetation within the study area includes Fremont cottonwood riparian forest, riparian herb/braided channel, disturbed/ruderal, agricultural, ornamental, and developed. Table 3.7-1 lists the vegetation in the study area.

**Table 3.7-1. Vegetation in the Study Area**

Common Name	Scientific Name
<b>FREMONT COTTONWOOD RIPARIAN FOREST</b>	
Fremont cottonwood	<i>Populus fremontii</i>
red willow	<i>Salix laevigata</i>
arroyo willow	<i>Salix lasiolepis</i>
giant reed	<i>Arundo donax</i>
Mexican elderberry	<i>Sambucus mexicana</i>
mule fat	<i>Baccharis salicifolia</i>
narrow-leaved willow	<i>Salix exigua</i>
Mediterranean tamarisk	<i>Tamarix ramosissima</i>
Great Basin sagebrush	<i>Artemisia tridentata</i>
coyote bush	<i>Baccharis pilularis</i>
black sage	<i>Salvia mellifera</i>
interior flat-topped buckwheat	<i>Eriogonum fasciculatum</i> var. <i>foliolosum</i>
golden currant	<i>Ribes aureum</i>
sugar bush	<i>Rhus ovata</i>
valley cholla	<i>Opuntia parryi</i>
giant wild rye	<i>Leymus condensatus</i>
orange bush monkeyflower	<i>Mimulus aurantiacus</i>
Indian tree tobacco	<i>Nicotiana glauca</i>
California sagebrush	<i>Artemisia californica</i>
deerweed	<i>Lotus scoparius</i>
common eucrypta	<i>Eucrypta chrysanthemifolia</i>
coastal prickly pear	<i>Opuntia littoralis</i>
Italian thistle	<i>Carduus pycnocephalus</i>
Sapling red	
western verbena	<i>Verbena lasiostachys</i>
<b>HERBACEOUS SPECIES</b>	
ripgut brome	<i>Bromus diandrus</i>
beardless wildrye	<i>Elymus triticoides</i>
red brome	<i>Bromus madritensis</i>
foxtail fescue	<i>Vulpia myuros</i>
soft chess	<i>Bromus hordeaceus</i>
cheat grass	<i>Bromus tectorum</i>
western ragweed	<i>Ambrosia psilostachya</i>
summer mustard	<i>Hirschfeldia incana</i>
common cryptantha	<i>Cryptantha intermedia</i>

Common Name	Scientific Name
miner's lettuce	<i>Claytonia perfoliata</i>
granny's hair net	<i>Pterostegia drymarioides</i>
dwarf nettle	<i>Urtica dioica</i>
annual sunflower	<i>Helianthus annuus</i>
branching phacelia	<i>Phacelia ramosissima</i>
southern slender vetch	<i>Vicia ludoviciana</i>
yerba mansa	<i>Anemopsis californica</i>
sedges	<i>Carex</i> spp.
mugwort	<i>Asteraceae suksdorfii</i>
Mexican rush	<i>Juncus mexicanus</i>
giant nettle	<i>Urtica holosericea</i>
Mexican tea	<i>Chenopodium ambrosioides</i>
<b>RIPARIAN HERB/BRAIDED CHANNEL</b>	
watercress	<i>Rorippa nasturtium-aquaticum</i>
greater water speedwell	<i>Veronica anagallis-aquatica</i>
seep monkey flower	<i>Mimulus guttatus</i>
broad-leaved cat-tail	<i>Typha latifolia</i>
common bulrush	<i>Scirpus acutus</i>
Olney's bulrush	<i>Scirpus americanus</i>
curly dock	<i>Rumex crispus</i>
baltic rush	<i>Juncus balticus</i>
tall umbrella sedge	<i>Cyperus eragrostis</i>
white sweet clover	<i>Melilotus alba</i>
spike redtop	<i>Agrostis exarata</i>
rabbit's foot grass	<i>Polypogon monspeliensis</i>
western ragweed	<i>Ambrosia psilostachya</i>
prickly sow thistle	<i>Sonchus asper</i>
weedy cudweed	<i>Gnaphalium luteo-album</i>
narrow-leaved willow	<i>Salix exigua</i>
Indian tree tobacco	<i>Nicotiana glauca</i>
arroyo willow	<i>Salix lasiolepis</i>
giant reed	<i>Arundo donax</i>
thick-leaved yerba santa	<i>Eriodictyon crassifolium</i>
sand wash butterweed	<i>Senecio flaccidus</i>
Great Basin sagebrush	<i>Artemisia tridentata</i>
fastigate golden aster	<i>Heterotheca fastigiata</i>
deerweed	<i>Lotus scoparius</i>
California sagebrush	<i>Artemisia californica</i>



Common Name	Scientific Name
woolly star	<i>Eriastrum densifolium</i>
rosemary flat-topped buckwheat	<i>Eriogonum fasciculatum</i> var. <i>polifolium</i>
red brome	<i>Bromus madritensis</i>
sandbur	<i>Cenchrus incertus</i>
mugwort	<i>Artemisia vulgaris</i>
common heliotrope	<i>Heliotropium curassavicum</i>
Mediterranean schismus	<i>Schismus barbatus</i>
summer mustard	<i>Hirschfeldia incana</i>
yellow sweet clover	<i>Melilotus indicus</i>
Mexican tea	<i>Chenopodium ambrosioides</i>
red-stemmed filaree	<i>Erodium cicutarium</i>
jimson weed	<i>Datura wrightii</i>
great marsh evening primrose	<i>Oenothera elata</i>
Thurber's buckwheat	<i>Eriogonum thurberi</i>
<b>DISTURBED/RUDERAL AREAS</b>	
ripgut brome	<i>Bromus diandrus</i>
red brome	<i>Bromus madritensis</i>
wild oat	<i>Avena fatua</i>
slender wild oat	<i>Avena barbata</i>
foxtail barley	<i>Hordeum murinum</i> ssp. <i>leporinum</i>
soft chess	<i>Bromus hordeaceus</i>
foxtail fescue	<i>Vulpia myuros</i>
cheat grass	<i>Bromus tectorum</i>
Mediterranean schismus	<i>Schismus barbatus</i>
goldentop	<i>Lamarkia aurea</i>
Bermuda grass	<i>Cynodon dactylon</i>
summer mustard	<i>Hirschfeldia incana</i>
common fiddleneck	<i>Amsinckia menziesii</i>
bur clover	<i>Amsinckia menziesii</i>
long-beaked filaree	<i>Erodium botrys</i>
arroyo lupine	<i>Lupinus succulentus</i>
pygmy sand weed	<i>Crassula connata</i>
sandbur	<i>Cenchrus incertus</i>
red-stemmed filaree	<i>Erodium cicutarium</i>
London rocket	<i>Sisymbrium irio</i>
cheese weed	<i>Malva parviflora</i>
yellow sweet clover	<i>Melilotus indicus</i>
common horseweed	<i>Conyza canadensis</i>

Common Name	Scientific Name
owl's clover	<i>Castilleja exserta</i>
tocalote	<i>Centaurea melitensis</i>
California poppy	<i>Eschscholzia californica</i>
winged pectocarya	<i>Pectocarya penicillata</i>
black mustard	<i>Brassica nigra</i>
annual sunflower	<i>Helianthus annuus</i>
common horsetail	<i>Equisetum arvense</i>
Russian thistle	<i>Salsola tragus</i>
lamb's quarters	<i>Chenopodium album</i>
telegraph weed	<i>Heterotheca grandiflora</i>
puncture vine	<i>Tribulus terrestris</i>
pineapple weed	<i>Chamomilla suaveolens</i>
prickly lettuce	<i>Lactuca serriola</i>
common knotweed	<i>Polygonum arenastrum</i>
slender southern vetch	<i>Vicia ludoviciana</i>
London rocket	<i>Sisymbrium irio</i>
milk thistle	<i>Silybum marianum</i>
common purslane	<i>Portulaca oleracea</i>
prickly sow thistle	<i>Sonchus asper</i>
burclover	<i>Medicago minima</i>
tumbling pigweed	<i>Amaranthus albus</i>
<b>ORNAMENTAL SPECIES</b>	
Fremont cottonwood	<i>Populus fremontii</i>
Mexican elderberry	<i>Sambucus mexicana</i>
mulberry	<i>Morus</i> sp.
gum	<i>Eucalyptus</i> sp.
Liquidambar	<i>Liquidambar</i> sp.
London plane tree	<i>Platanus acerifolia</i>
Peruvian pepper tree	<i>Schinus molle</i>
fruit trees	<i>Prunus</i> sp.
western sycamore	<i>Platanus racemosa</i>
ash	<i>Fraxinus</i> sp.
<b>DEVELOPED AREAS</b>	
cilantro	<i>Coriandrum sativum</i>
leeks	<i>Allium porrum</i>
kale	<i>Brassica oleracea</i>

### **3.7.2 Permanent Impacts**

Construction of the proposed project would result in the loss of approximately 4.12 hectares (10.17 acres) of native habitat that provide valuable nesting, foraging, roosting, and denning opportunities for a wide variety of wildlife species. In addition, project implementation would result in the loss of 20.77 hectares (51.33 acres) of non-native habitats that are relatively unimportant as wildlife habitat. However, these non-native habitats do provide nesting, foraging, roosting, and denning opportunities for some species. Removing or altering habitats in the study area would result in the loss of small mammals, reptiles, amphibians, and other animals of slow mobility that live in the direct impact area of the project. The proposed project is not expected to disrupt or hinder species movement along the Santa Clara River or Castaic Creek. Although a portion of the Santa Clara riverbed would be disturbed by implementation of the proposed project, the disturbance would remain on the outer terrace of one side of the riverbed. Therefore, the habitat upstream and downstream of the disturbance would remain connected by the low-flow channel, lower terraces, and opposite bank of the riverbed. Hence, no impacts on wildlife movement and habitat fragmentation are expected to occur in the study area.

### **3.7.3 Temporary Impacts**

#### **Construction Phase Impacts**

Grading activities would disturb soils and result in the accumulation of dust on the surface of the leaves of trees, shrubs, and herbs. The respiratory function of the plants in the area would be impaired when dust accumulation is excessive. The indirect effect of project construction on the native vegetation in the immediate vicinity of the construction area would not reduce plant populations below self-sustaining levels.

### **3.7.4 Measures to Minimize Harm**

The following measures will minimize harm to cumulative to biological impacts. The 404 Permit and 1603 Streambed Alteration Agreement for portions of the Santa Clara River have been identified in the NRMP. Where appropriate, the measures to minimize harm from the NRMP were used to ensure that this project is consistent with the 404 permit issued to Valencia Company in December 1998 and are referenced as described in the *Mitigation Monitoring and Reporting Program, Valencia Company, Revised Natural River Management Plan*. The Arundo removal option has been recommended over revegetation of the disturbed area because future roadway and/or flood control operation and maintenance activities performed consistent with the terms and conditions of the NRMP would periodically disturb the same section of the bank in the future.

### Riparian Habitat Mitigation

The construction of the proposed project would impact 4.12 hectares (10.17 acres) of Fremont cottonwood riparian forest, all of which is considered jurisdictional by the USACE and CDFG. Implementation of a riparian habitat mitigation program would be as follows:

The project applicant will remove exotic plant species from the project area in locations: (1) where there is an infestation of exotics such as *Arundo* that have substantially degraded and placed at risk the natural habitat functions and values, and where the cover of exotics is equal to or exceeds 25 percent of the ground or (2) other areas where exotic removal would be effective in a watershed approach to weed management, as determined by USACE and CDFG. The weed-removal sites shall be selected to ensure that the eradication of weeds from specific sites will contribute to the overall control of exotics in the NRMP watercourses. Removal areas shall be kept free of exotic plant species for 5 years after initial treatment.

The removal program shall utilize methods and procedures approved by the USACE and CDFG to remove exotics including, but not limited to, mechanical equipment in specific areas, hand-cutting, and the application of herbicides to stumps. Exotic plant species removal credit will be given as shown below (except when weed removal is used to mitigate for loss of habitat for sensitive riparian bird species where the USACE and CDFG may require higher ratios). Weed eradication plans shall be submitted to the USACE and CDFG for approval as part of the Verification Request Letter submitted to the USACE and CDFG for the proposed project. The plan shall describe the proposed methods and the conditions of the site to be treated. A monitoring program shall be implemented to document the effectiveness of the removal and the natural establishment of native vegetation in the weeded area.

**Table 3.7-2. Value of Riparian Habitat**

Value of Riparian Habitat to be Removed	Mitigation Ratios for Exotic Removal	
	2 Years in Advance	< 2 Years in Advance
High (EIS/EIR mapping units 1, 2, 3, 6)	3:1	4:1
Medium (EIS/EIR mapping units 4, 7)	2:1	3:1
Low (EIS/EIR mapping unit 5, 8)	1:1	2:1

Riparian herb/braided channel and Fremont cottonwood riparian forest correspond to mapping units 1 and 6, respectively. However, the riparian herb/braided channel in the study area should be considered of medium value because it is heavily invaded by giant reed.

The mapping units are based on the habitat types/numbering protocol established for the NRMP EIS/EIR as follows: 1= wet herbaceous vegetation, 2=wet mixed scrub, 3=dense willow-cottonwood woodland, 4= dry willow scrub, 5=dry open floodplain, 6= cottonwood woodland, 7=sagebroom scrub, 8=great basin scrub, and 9=weedy herbaceous

The Arundo removal program will be operated through Newhall Land. Newhall Land will be responsible for monitoring the mitigation program and reporting to the resource agencies to keep them informed of the status of the mitigation program. Reports to resource agencies will include a *Mitigation Accounting Form* filed annually, and an *Annual Mitigation Status Report*. Other vegetation types present within the impact area other than riparian vegetation include disturbed/ruderal, ornamental, agriculture, and developed. These 20.77 hectares (51.33 acres) represent areas of low biological value and measures to minimize impacts to these areas are not biologically warranted.

### 3.8 Wildlife

As discussed above, a Natural Environment Study was conducted for this proposed project (BonTerra, 2004). Survey methodologies are discussed in the NES. The findings of the surveys performed in support of the preparation of the NES are summarized below. Because the surveys are more than two years old, while they may provide additional useful information on the site, they cannot verify current conditions; that is, whether species surveyed for are currently present or absent on the project site. As such, where habitat for special-status species is present, the species is presumed to occupy the site, and impacts are evaluated and mitigation developed accordingly. Table A-2 in the NES provides a compendia of the faunal species observed.

#### 3.8.1 Affected Environment

The vegetation types within the study area provide habitat for a host of wildlife species. Most creek and waterways in Southern California are intermittent and subject to periods of high water flow in winter and spring, and little to no flow in late summer and fall. The study area contains two drainages, Castaic Creek and the Santa Clara River, that both flow generally from east to west. It should be noted, however, that Castaic Creek is located outside the potential project impact area. At the time of the survey, Castaic Creek was dry, while the Santa Clara River contained low, flowing water. Unarmored threespine stickleback (*Gasterosteus aculeatus williamsonii*) and arroyo chub (*Gila orcutti*) are known to occur in both this portion of the Castaic Creek and the Santa Clara River. The Santa Ana sucker (*Catostomus santaannae*) has a disjunct distribution and is not known from the study area; however, it has a moderate potential to occur because it is known in nearby watercourses. The introduced mosquito fish (*Gambusia affinis*) is also known to occur in these watercourses.

Amphibians require moisture for at least a portion of their life cycle, and many require standing or flowing water for reproduction. Terrestrial species may or may not require

standing water for reproduction. These species are able to survive in dry areas by estivating, remaining beneath the soil in burrows or under logs or leaf litter, emerging only when temperatures are low and humidity is high. Many of these species' habitats are associated with water, and they emerge to breed once the rainy season begins. Soil moisture conditions can remain high throughout the year in some habitat types, depending on factors such as amount of vegetation cover, elevation, and slope aspect.

Although not observed during the surveys, the riparian vegetation types (Fremont cottonwood riparian forest, and riparian herb/braided channel) provide suitable habitat for the Pacific tree frog (*Hyla regilla*), western toad (*Bufo boreas*), and Pacific slender salamander (*Batrachoseps pacificus*); and they are expected to occur in the study area.

Reptilian diversity and abundance typically vary with vegetation type and character. Many species prefer only one or two vegetation types; however, most will forage in a variety of habitats. Most species occurring in open areas use rodent burrows for cover, protection from predators, and extreme weather conditions.

Reptile species observed during the surveys in the study area include the side-blotched lizard (*Uta stansburiana*), western fence lizard (*Sceloporus occidentalis*), and western yellow-bellied racer (*Coluber constrictor*). Other reptiles expected to occur onsite include southern alligator lizard (*Gerrhonotus multicarinatus*), western skink (*Eumeces skiltonianus*), gopher snake (*Pituophis melanoleucus*), and western rattlesnake (*Crotalus viridis*).

Birds were the most widely observed vertebrate taxon occurring on the study site. Species observed included great blue heron (*Ardea herodias*), great egret (*Ardea albus*), killdeer (*Charadrius vociferus*), rock dove (*Columba livia*), mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), Nuttall's woodpecker (*Picoides nuttallii*), black phoebe (*Sayornis nigricans*), Say's phoebe (*Sayornis saya*), western scrub jay (*Aphelocoma californica*), American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), oak titmouse (*Baeolophus inornatus*), wrentit (*Chamaea fasciata*), Brewer's blackbird (*Euphagus cyanocephalus*), and house finch (*Carpodacus mexicanus*). The common yellowthroat (*Geothlypis trichas*), spotted towhee (*Pipilo maculatus*), California towhee (*Pipilo crissalis*), loggerhead shrike (*Lanius ludovicianus*), northern mockingbird (*Mimus polyglottos*), phainopepla (*Phainopepla nitens*), song sparrow (*Melospiza melodia*), white-crowned sparrow (*Zonotrichia leucophrys*), western meadowlark (*Sturnella neglecta*), and lesser goldfinch (*Carduelis psaltria*) would also be expected to occur because many of these species were observed just outside the study area. In addition, the nests of cliff swallows (*Hirundo phrrhonota*) were observed under the newly constructed Commerce Center Drive

bridge across Castaic Creek. Birds of prey (raptors) observed on the site included the red-shouldered hawk (*Buteo lineatus*) and red-tailed hawk (*Buteo jamaicensis*). Other raptors expected to occur in the study area include the white-tailed kite (*Elanus leucurus*), American kestrel (*Falco sparverius*), and turkey vulture (*Cathartes aura*).

Mammal species observed or detected included the Botta's pocket gopher (*Thomomys bottae*), California ground squirrel (*Spermophilus beecheyi*) western gray squirrel (*Sciurus griseus*), woodrat (*Neotoma* sp.), and raccoon (*Procyon lotor*). Other mammals expected to occur include deer mouse (*Peromyscus maniculatus*), California pocket mouse (*Perognathus californicus*), western harvest mouse (*Reithrodontomys megalotis*), brush rabbit (*Sylvilagus bachmani*), and desert cottontail (*Sylvilagus audubonii*). Larger mammals, including both herbivores and carnivores, observed or expected on the study area include the Virginia opossum (*Didelphis virginiana*), coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*), striped skunk (*Mephitis mephitis*), bobcat (*Felis rufus*), and mule deer (*Odocoileus hemionus*).

Bats occur throughout most of Southern California and may use any portion of the study area as foraging habitat. The riparian vegetation types in the project region provide potential roosting opportunities for several bat species, although no direct evidence of bat roosting (e.g., bats or bat guano) was observed during field survey. Most of the bats that could potentially occur onsite are inactive during the winter and either hibernate or migrate, depending on the species. The Yuma myotis (*Myotis yumanensis*), California myotis (*Myotis californicus*), western pipistrelle (*Pipistrellus hesperus*), big brown bat (*Eptesicus fuscus*), hoary bat (*Lasiurus cinereus*) and Mexican free-tailed bat (*Tadarida brasiliensis*) all may occur on the study area.

### **Wildlife Movement**

Wildlife corridors link together areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat. In the absence of habitat linkages that allow movement to adjoining open-space areas, various studies have concluded that some wildlife species, especially the larger and more mobile mammals, will not likely persist over time in fragmented or isolated habitat areas because they prohibit the infusion of new individuals and genetic information (MacArthur and Wilson, 1967; Soule, 1987; Harris and Gallagher, 1989; Bennett, 1990).

Wildlife corridors mitigate the effects of this fragmentation by: (1) allowing animals to move between remaining habitats, thereby permitting depleted populations to be replenished

and promoting genetic exchange; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fire or disease) will result in population or local species extinction; and (3) serving as travel routes for individual animals as they move in their home ranges in search of food, water, mates, and other needs (Noss, 1983; Farhig and Merriam, 1985; Simberloff and Cox, 1987; Harris and Gallagher, 1989).

In a large, open-space area in which there are few or no man-made or naturally occurring physical constraints to wildlife movement, wildlife corridors as defined above may not yet exist. Given an open-space area that is both large enough to maintain viable populations of species and provide a variety of travel routes (canyons, ridgelines, trails, riverbeds, and others), wildlife will use these "local" routes while searching for food, water, shelter, and mates, and will not need to cross into other large open-space areas. Based on their size, location, vegetative composition, and availability of food, some of these movement areas (e.g., large drainages and canyons) are used for longer lengths of time and serve as source areas for food, water, and cover, particularly for small- and medium-sized animals. This is especially true if the travel route is within a larger open-space area. However, once open-space areas become constrained and/or fragmented as a result of urban development or construction of physical obstacles such as roads and highways, the remaining landscape features or travel routes that connect the larger open-space areas can "become" corridors as long as they provide adequate space, cover, food, and water, and do not contain obstacles or distractions (e.g., man-made noise, lighting) that would generally hinder wildlife movement.

Wildlife movement activities usually fall into one of three movement categories: (1) dispersal (e.g., juvenile animals from natal areas, or individuals extending range distributions); (2) seasonal migration; and (3) movements related to home range activities (foraging for food or water, defending territories, searching for mates, breeding areas, or cover). A number of terms have been used in various wildlife movement studies, such as "wildlife corridor," "travel route," "habitat linkage," and "wildlife crossing" to refer to areas in which wildlife move from one area to another.

In general, the hills above Castaic Creek and the Santa Clara River and its tributaries are undeveloped, or contain scattered croplands and residences. Lands in the floodplain are mostly developed for commercial, industrial, and agricultural uses. The Santa Clara River, which traverses these floodplains, represents an important wildlife corridor because: (1) the river is mostly undeveloped and contains native riparian habitat; (2) the width of the river is generally 213 meters (699 feet) or more; and (3) the river and its tributaries provide linkages between the proposed project and regional habitat areas. The Santa Clara River and its



tributaries, such as San Francisquito Creek, provide linkages east and north to the Angeles National Forest. The Santa Clara River also extends west to the Santa Clara River Valley where tributary creek and pasture lands on the south side of the river provide linkages to the Santa Susana Mountains. Castaic Creek provides access to the Angeles National Forest via Castaic Dam and its associated recreational area. Overall, both of these creeks provide high quality regional wildlife corridors.

### **3.8.2 Permanent Impacts**

Construction of the proposed project would result in the loss of approximately 4.12 hectares (10.17 acres) of native habitat that provide valuable nesting, foraging, roosting, and denning opportunities for a wide variety of wildlife species. In addition, project implementation would result in the loss of 20.77 hectares (51.33 acres) of non-native habitats that are relatively unimportant as wildlife habitat. However, these non-native habitats do provide nesting, foraging, roosting, and denning opportunities for some species. Removing or altering habitats in the study area would result in the loss of small mammals, reptiles, amphibians, and other animals of slow mobility that live in the direct impact area of the project. More mobile wildlife species now using the study area would be forced to move into remaining areas of open space, consequently increasing competition for available resources in those areas. This situation would result in the loss of individuals that cannot successfully compete. The proposed project would not reduce common wildlife populations in the region below self-sustaining numbers, given the small amount of impact area.

The proposed project is not expected to disrupt or hinder species movement along the Santa Clara River or Castaic Creek. Although a portion of the Santa Clara riverbed would be disturbed by implementation of the proposed project, the disturbance would remain on the outer terrace of one side of the riverbed. Therefore, the habitat upstream and downstream of the disturbance would remain connected by the low-flow channel, lower terraces, and opposite bank of the riverbed. Hence, no impacts on wildlife movement and habitat fragmentation are expected to occur in the study area. As stated in Section 3.2.2 of the NES, both the Santa Clara River and Castaic Creek provide for high quality regional wildlife movement. However, as stated in Section 4.3.2 of the NES, the proposed project is not expected to adversely disrupt or hinder wildlife species movement along the Santa Clara River or Castaic Creek within the project vicinity because the disturbance would be limited to the outer terrace of one side of the riverbed of the Santa Clara River. Habitat upstream and down stream of the impact area along the Santa Clara River would remain connected and is expected to continue to be utilized for wildlife movement after project implementation.

### **Night Lighting**

Lighting of the infrastructure would inadvertently result in an indirect effect on the behavioral patterns of nocturnal and crepuscular (active at dawn and dusk) wildlife at these areas. Of greatest concern is the effect on small ground-dwelling animals that use the darkness to hide from predators, and on owls, which are specialized night foragers. These impacts, while adverse, would not be expected to reduce any current wildlife population below self-sustaining levels.

### **Human Activity**

Human disturbance could disrupt normal foraging and breeding behavior of wildlife remaining onsite, considerably diminishing the value of onsite habitat areas. This impact would occur due to the high biological value of native habitat areas (i.e., Fremont cottonwood riparian forest, riparian herb/braided channel) in the study area.

### **3.8.3 Temporary Impacts**

#### **Noise Impacts (Indirect)**

Noise levels in the study area would increase over present levels during construction of the proposed project. During construction, temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and denning activities for a variety of wildlife species. Most species in the vicinity of the study area are not listed as Threatened or Endangered under state or federal statute. However, if the western yellow-billed cuckoo, southwestern willow flycatcher, least Bell's vireo, and several common and special-status raptor species, including white-tailed kite and burrowing owl, establish nests within or contiguous to the project site prior to implementation of construction, then construction-associated noise would have the potential to result in temporary short-term impacts to these species. Impacts from construction noise may result in the temporary displacement of birds from their nests to adjacent habitat areas due to these disturbances, thus leaving the nests unprotected and subject to predation or infestation by nest parasites such as the brown-headed cowbird. Indirect noise impacts on these species nests, or nesting activities, would be considered because these species are protected by federal and state wildlife laws and by Section 15380 of CEQA.

Noise would also increase over present levels when the traffic on roads adjacent to the riverbed increases. Therefore, habitat remaining onsite adjacent to development would be considered disturbed. Wildlife stressed by noise may be extirpated from the remaining onsite natural open space, leaving only wildlife tolerant of human activity. Chronic (permanent) noise increase would contribute to an incremental loss of habitat, but would not reduce wildlife populations below self-sustaining levels.

### **Increased Dust and Urban Pollutants**

Grading activities would disturb soils and result in the accumulation of dust on the surface of the leaves of trees, shrubs, and herbs. The respiratory function of the plants in the area would be impaired when dust accumulation is excessive. This indirect effect of project construction on the native vegetation in the immediate vicinity of the construction area would not reduce plant populations below self-sustaining levels.

Additional impacts to wildlife in the area could occur as a result of changes in water quality. Urban runoff from the proposed project containing petroleum residues and the potential for improper disposal of petroleum and chemical products from construction equipment (temporary) or infrastructure areas (i.e., vehicles, improper disposal of chemicals) (permanent) could adversely affect water quality. This, in turn, could affect populations of aquatic species (including common and special-status fish, amphibian, and reptile species), and other species that use riparian areas (including common and special-status amphibian, reptile, birds, and mammal species). Water quality could also be adversely affected by runoff of nutrients from project landscape features. This could impact the Santa Ana sucker, unarmored three-spine stickleback, arroyo chub, arroyo toad, southwestern pond turtle, and two-stripe garter snake, and could reduce the biological value of riparian habitats in the immediate project area. However, standard BMPs implemented through the SWPPP and NPDES permits minimize the level of impact.

#### **3.8.4 Measures to Minimize Harm**

Implementation of the following recommended measures to minimize harm will mitigate direct, indirect, and cumulative biological impacts to a level that is considered not adverse. Where appropriate, the measures to minimize harm from the NRMP were used to ensure that this project is consistent with the 404 permit issued to Valencia Company in December 1998 and are referenced as described in the *Mitigation Monitoring and Reporting Program, Valencia Company, Revised Natural River Management Plan*. Mitigation for impacts to wildlife habitat and wildlife movement include those described in Section 3.7.5 of this IS/EA as well as the following mitigation measures from the NRMP regarding sensitive species to be incorporated as a component of this project. Because the proposed project is not anticipated to adversely disrupt or hinder wildlife species movement along the Santa Clara River, even though the proposed project would impact some of the habitat in this area, the amount of habitat impacted did not warrant a specific mitigation measures relative to wildlife movement. However, several mitigation measures identified in the NES for other biological resource issues will have a direct benefit to wildlife resources, including wildlife movement. These measures include, but are not limited to, the (1) implementation of a riparian habitat

mitigation program, (2) implementation of avoidance procedures for sensitive and aquatic species, (3) restoration of temporarily disturbed areas, and (4) implementation of aquatic habitat and water quality protection measures.

**BIO-1 (a)** Construction activities shall be limited to the following areas of temporary disturbance: (1) an 85-foot wide zone that extends into the river from the base of the rip-rap or gunite bank protection where it intercepts the river bottom; and (2) 20-foot wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the VRL that are submitted to the CDFG and ACOE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the post-construction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or substantial human intrusion shall occur outside the work area and access roads.

**BIO-1 (b)** Equipment shall not be operated in areas of ponded or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the ACOE. Approval shall be acquired by submitting a request to CDFG and ACOE no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site, or along access roads. This request may be included in the *Verification Request Letter* that is submitted to the CDFG and ACOE.

**BIO-1 (c)** Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) the construction site contains flowing or ponded water that drains off-site into the undisturbed streamflow or ponds, as allowed for certain areas under Item (a) above; or (2) streamflow is diverted around the construction site, but the 'work is occurring in the period November 1<sup>st</sup> through April 15<sup>th</sup> when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy river bottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to pre-construction grades and substrate conditions within 30 days after

construction has ended at that particular site. The location and design of sediment retention ponds shall be included in the Storm Water Pollution Prevention Plan (SWPPP) prepared by the project applicant for all construction activities that require a NPDES General Construction Activity Storm Water Permit.

**BIO-1 (d)** Installation of structures shall not impair water flow. Bottoms of temporary culverts shall be placed at or below channel grade. Bottoms of permanent culverts shall be placed below channel grade.

**BIO-1 (e)** Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1<sup>st</sup> through April 15<sup>th</sup>.

**BIO-1 (f)** Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the 404 permit or 1603 agreement.

**BIO-1 (g)** Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.

**BIO-1 (h)** If a stream channel has been altered, the low flow channel shall be returned as nearly as practical to pre-project topographic conditions.

**BIO-1 (i)** Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.

**BIO-1 (j)** Staging/storage areas for construction equipment and materials shall be located outside of the ordinary high water mark.

**BIO-1 (k)** Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.

**BIO-1 (l)** Stationary equipment such as motors, pumps, generators, and welders will not be located within the riverbed construction zone.

**BIO-1 (m)** The project applicant shall use best efforts to ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be

allowed to enter into, or be placed where it may be washed by rainfall or runoff into, the Santa Clarita River or Castaic Creek. When construction operations are completed, any excess materials or debris shall be removed from the work area.

**BIO-1 (n)** No equipment maintenance shall be conducted within 50 feet (15 meters) of a watercourse.

**BIO-2 (a)** Prior to initiating construction, all construction sites and access roads within the riverbed, as well as all riverbed areas within 91 meters (300 feet) of the construction site and access road, shall be inspected by a qualified biologist for the presence of the unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. The USACE and the CDFG shall be notified of the inspection and shall have the option of attending. If either agency is not represented, the biologist shall file a written report of the inspection with the agency not in attendance within 14 days of the survey and no sooner than 30 days prior to any construction work in the riverbed.

**BIO-2 (b)** Construction work areas and access roads shall be cleared of the species listed above immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the USACE and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas. A plan to relocate these species shall be submitted to the USACE and CDFG for review and approval no later than 30 days prior to construction. This plan can also be included in the Verification Request Letters submitted to the USACE and CDFG for individual project approvals. Under no circumstances shall the unarmored three-spine stickleback be collected or relocated, unless USFWS personnel or their agents implement this measure.

**BIO-2 (c)** All stream flows traversing a construction site or temporary access road shall be diverted around the site and under access roads (using temporary culverts or crossings that allow fish passage). A temporary diversion channel shall be constructed using the least-damaging method possible, such as blading a narrow pilot channel through an open, sandy river bottom. The removal of wetland and riparian vegetation to construct the channel shall be avoided to the greatest extent feasible. The temporary channel shall be connected to a natural channel downstream of the construction site prior to diverting the stream. The integrity of the channel and diversion shall be maintained throughout the construction period. The original stream channel alignment shall be restored after construction, provided suitable

conditions are present at the work site after construction. A temporary stream diversion plan shall be included in the Verification Request Letters submitted to the USACE and CDFG for individual project approvals.

**BIO-2 (d)** A qualified biologist shall be present when any stream diversion takes place, and shall patrol the areas both within, upstream, and downstream of the work area to rescue any species stranded by the diversion of the stream water. Species that are collected shall be relocated to suitable downstream of the work area.

**BIO-3 (a)** The removal of any riparian habitat suitable for breeding, nesting, foraging, and temporary usage during migration by the above species from the project footprint (i.e., boundaries of temporary and permanent impacts) shall be mitigated through the removal of exotic species from an area of existing similar habitat. The requirement for removing exotic species from existing habitat shall follow the replacement ratios and timing requirements in BIO-1. Existing habitat to be weeded as mitigation for the loss of riparian habitat suitable for the above species must be located adjacent to habitat occupied by the above species and infested with invasive weeds. If weed removal is used for mitigation for sensitive-species habitat replacement, the weed removal must result in habitat conditions suitable for the affected sensitive species. The final exotic removal plans for impacts to these types of habitats shall be reviewed by the USACE and CDFG as described in BIO-1.

**BIO-3 (b)** Beginning 30 or more days prior to the removal of any suitable riparian habitat that will occur during the riparian bird breeding and nesting season of March 15 through August 1, the project applicant shall arrange for weekly bird surveys to detect the above riparian bird species in the habitats to be removed, and any other such habitat within 91 meters (300 feet) of the construction work areas. The surveys shall be conducted by a qualified biologist using CDFG and/or USFWS survey protocols. The surveys shall continue on a weekly basis, with the last survey being conducted no more than 7 days prior to the initiation of construction work.

In the event that one of the species listed above is observed in the habitats to be removed or in other habitats within 91 meters (300 feet) of the construction work areas, the project applicant has the option of delaying all construction work in the suitable habitat or within 91 meters (300 feet) of the suitable habitat until after August 1, or continuing the surveys to locate any nests. If an active nest is found, clearing and construction within 91 meters (300 feet) of the nest shall be postponed until the nest is vacated and juveniles have fledged,

and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area.

Locating and determining the status of a nest shall be performed in accordance with approved procedures by the USFWS and CDFG, including the possible need for an endangered species permit to accurately observe and monitor a nest of a listed or proposed species. The USACE and CDFG shall be notified at least 14 days prior to the first scheduled survey and shall have the option of attending. Results of the surveys, including surveys to locate nests, shall be provided to the USACE and CDFG no later than 5 days prior to construction. The results shall include a description of any nests located and measures to be implemented to avoid nest sites. No surveys will be necessary if the work is completed outside the riparian bird breeding and nesting season (i.e., from August 1 through March 15).

**BIO-3 (c)** The project shall use best efforts to restrict public access into the bottom of the Santa Clara River adjacent to the project site that could adversely affect sensitive fish and wildlife resources, particularly listed or proposed species. These actions shall include, among other things, posting signs identifying an ecologically sensitive area, promoting public education and awareness of such ecological sensitivities, coordinating with the City of Santa Clarita on the placement of trails and public access routes to and along the river to avoid conflicts with sensitive biological resources, and the maintenance of fences and barricades to prevent unauthorized or unrestricted access to the river bottom.

**BIO-20** Thirty days prior to construction activities, a qualified biologist shall conduct a survey to determine if the burrowing owl is present at the site, and the nesting status of the individuals at the site. If nesting is not occurring, construction work can proceed after any owls have been evacuated from the site using CDFG-approved burrow closure procedures. If nesting is occurring, construction work shall be delayed until fledglings have left the nest. Preconstruction surveys shall be conducted only in areas dominated by field crops and grassland. Results of the surveys and relocation efforts shall be provided to CDFG.

**BIO-21** Thirty days prior to construction activities in all riparian areas within or adjacent to the riverbed, a qualified biologist shall conduct a survey to determine if any tri-colored blackbirds are present at the site, and the status of nesting. If no nesting is occurring, construction work can proceed. If nesting is occurring, construction work shall be delayed until fledglings have left the nest. Results of the survey shall be provided to CDFG. If a



riparian or wetland habitat used by blackbirds for nesting is to be removed, it shall be replaced according to the procedures in the NRMP.

**BIO-22** Thirty days prior to construction activities in all riparian areas within or adjacent to the riverbed, a qualified biologist shall conduct a survey to determine if any of the following raptors are nesting in large trees: long-eared owl, white-tailed kite, northern harrier, and Cooper's hawk. If nesting is not occurring, construction work can proceed. If an active nest is present, construction work shall be delayed until fledglings have left the nest. Results of the surveys and relocation efforts shall be provided to CDFG. If an area of riparian woodland used by raptors for nesting is to be removed, it shall be replaced according to the procedures and replacement ratios for such woodlands described in Mitigation Measure BIO-1.

### **3.9 Special-Status Species**

The following section addresses special-status biological resources observed, reported, or having the potential to occur in the study area. These resources include plant and wildlife species that have been afforded special status and/or recognition by federal and state resource agencies, as well as private conservation organizations. In general, the principal reason an individual taxon (species, subspecies, or variety) is given such recognition is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution resulting, in most cases, from habitat loss. In addition, special-status biological resources include vegetation types and habitats that are either unique, of relatively limited distribution in the region, or of particularly high wildlife value. These resources have been defined by federal, state, and local government conservation programs.

#### **3.9.1 Affected Environment**

##### **Vegetation Types**

Fremont cottonwood riparian forest is considered a special-status or rare vegetation type by the CNDDDB (CDFG, 2002). Riparian habitats, such as this one, are considered a high priority for preservation due to their decline throughout Southern California and capacity to support rare and endangered species. Fremont cottonwood riparian forest in the study area is a moderate- to high-quality riparian system that has a potential to support endangered and threatened species.

## Plant Species

Twelve special-status plant species are known to occur in the project region. A brief description of the special-status plant species known from the project region is listed below alphabetically according to the scientific name.

The focused special-status plant survey (conducted on April 25 and May 15 and 16, 2003) located one population of Peirson's morning glory that consisted of approximately 38 plants on a berm, between Henry Mayo Parkway and SR 126. No other special-status plant species were observed during the focused survey.

### Nevin's Barberry (*Berberis nevinii*)

Nevin's Barberry is a federal and state endangered and California Native Plant Society (CNPS) List 1B species that typically blooms between April and June. This evergreen shrub occurs in sandy and gravelly soils in coastal sage scrub, riparian scrub, cismontane woodland, and chaparral below 850 meters (2,700 feet) above mean sea level (msl). This species is known to occur in Los Angeles, Riverside, San Bernardino, and San Diego Counties. This species occurs in San Francisquito Canyon in the vicinity of the study area. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to limited amount of suitable habitat or substrate onsite.

### Club-Haired Mariposa Lily (*Calochortus clavatus* ssp. *clavatus*)

The club-haired mariposa lily is a CNPS List 4 species. This species is a long-stemmed, perennial bulb found from San Luis Obispo County extending into Ventura and northwest Los Angeles Counties typically found below 1,300 meters (4,300 feet) above msl that blooms between March and May. This subspecies has been noted more frequently in the Liebre Mountains than the slender mariposa lily (*Calochortus clavatus* var. *gracilis*), which is extremely similar in appearance. The club-haired mariposa lily differs from the slender mariposa lily by its coarse, zig-zag stem that is 5 to 10 decimeter (dm) in height and a corolla with petals that are 40 to 50 millimeters (mm) (1.6 to 2.0 in) long. In the Liebre Mountains, this subspecies has been recorded in Mint Canyon, Bouquet Canyon, Texas Canyon, Osito Canyon, Red Mountain, Warm Springs Mountain, Castaic Canyon, Agua Dulce Canyon, Bee Canyon (adjacent to Soledad Canyon), Elizabeth Lake Canyon, and Newhall. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to limited amount of suitable habitat or substrate onsite.

#### Slender Mariposa Lily (*Calochortus clavatus* var. *gracilis*)

The slender mariposa lily is a federal species of concern and a CNPS List 1B species. This species is a short-stemmed, perennial herb found in the western portion of the San Gabriel and the Liebre mountains that typically blooms between March and May. This variety has a bright yellow flower with petals 30 to 40 mm (1.2 to 1.6 in) long and a sparsely hairy nectary surface. In addition, the plants usually have a straight, rather than a zig-zag stem, typical of subspecies *C. c. clavatus*. This variety is found generally in openings of chaparral and coastal sage scrub at lower elevations (below 1,524 meters [5,000 feet] above msl). In the Liebre Mountains, this species has been recorded in upper San Francisquito Canyon, Bear Canyon (Red Rock Mountain area), Bee Canyon (adjacent to Soledad Canyon), and Osito Canyon. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to limited amount of suitable habitat or substrate onsite.

#### Plummer's Mariposa Lily (*Calochortus plummerae*)

The Plummer's mariposa lily is a federal species of concern and a CNPS List 1B species. This late-blooming mariposa lily is found in dry, rocky areas of alluvial fan sage scrub, chaparral, coastal sage scrub, and lower coniferous forest habitats. This species has been found from the Simi Valley and along the base to mid-elevational areas (below 1,524 meters [5,000 feet] above msl) of the San Gabriel, San Bernardino, and San Jacinto mountains. It is also known to occur in some of the foothill areas, including the Chino Hills and the northern Santa Ana Mountains. This species typically has a pinkish corolla with a purple margin at the tip of the petals. The inside surface of the petals is covered with dense yellow hairs. This species typically blooms between May and July. The Plummer's mariposa lily is very uncommon in the Liebre Mountains. It is currently known only from alluvial fans above Bee Canyon wash, near Soledad Canyon. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to limited amount of suitable habitat or substrate onsite.

#### Peirson's Morning Glory (*Calystegia peirsonii*)

The Peirson's morning glory is a federal species of concern and a CNPS List 4 species. This species is typically found in openings in coastal sage scrub and chaparral, and is known to germinate after burns below 1,500 meters (4,950 feet) above msl. This species is a sprawling, perennial herb found predominately in the Liebre Mountains, but also in the mid-to west portion of the San Gabriel Mountains and on the Palos Verdes Peninsula. This species differs from *C. macrostegia* by the triangular, slightly glaucous leaves often slightly bluish in color, and with the sepal-like bracts that are attached to the calyx being elliptical or

oval. In the Liebre Mountains, Peirson's morning glory is widely distributed and recorded in San Francisquito Canyon, Mint Canyon, upper Pine Canyon, Bouquet Canyon, east of Bouquet Reservoir, Texas Canyon, Sierra Pelona ridgeline, Soledad Canyon, Portal Ridge, Fish Canyon, the summit of Warm Springs Mountain, Lake Hughes, Osito Canyon, Knapp Ranch, Vasquez Canyon, Bee Canyon (adjacent to Soledad Canyon), and Clearwater Canyon. A small population of this species was observed onsite within a berm located between Henry Mayo Parkway and SR 126, though a limited amount of suitable habitat was observed onsite.

#### San Fernando Valley Spineflower (*Chorizanthe parryi* var. *fernandina*)

The San Fernando Valley spineflower is a federal candidate for listing and a CNPS List 1B species. This species is a small, decumbent plant with white flowers. It is distinguished from the Parry's spineflower in having straight, rather than hooked, involucre teeth. Historically, it was thought that the habitat for this species was in sandy washes. However, a 1999 discovery found the species in annual grassland and grassland-sage scrub ecotonal habitats. These plants were found on mineral soils with reduced annual cover and well developed cryptogamic crusts. This species typically blooms between April and June. This species was historically known from valleys of Los Angeles and Orange Counties at elevations below 1,220 meters (4,000 feet) above msl. These sites included: a sandy wash in Castaic, Elizabeth Lake, the mouth of Little Tujunga wash, the Chatsworth area, Santa Ana, Ballona Creek, and the area near the lower San Fernando Dam. This species was thought to be extinct, until the discovery in 1999 of a population on Laskey Mesa in the Simi Hills. This species was also verified in the Newhall Ranch area in 2000. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to limited amount of suitable habitat (e.g., presence of dense annual vegetation) or substrate (e.g., apparent lack of well-developed cryptogamic crusts) onsite.

#### Slender-horned spineflower (*Dodecahema leptoceras*)

The slender-horned spineflower is a federal and state endangered species and a CNPS List 1B species. This very small annual spineflower occurs in alluvial washes and is usually restricted to older bench habitats in Riversidian alluvial fan sage scrub at elevations below 760 meters (2,500 feet) above msl. It typically blooms between April and June. It is usually found on open sandy areas associated with leathery spine flower (*Chorizanthe coriacea*) and loeflingia (*Loeflingia squarrosa*). These benches are often very open with well-developed cryptogamic crusts. The slender-horned spineflower is known from the Santa Ana River, San Jacinto River, Cajon Wash, Bautista Canyon, Kolb-Arroyo Seco, and Temescal Creek in

the San Bernardino-Riverside area. It is also known from Tujunga wash and Bee Canyon in Los Angeles County. The only known locality in the Liebre Mountains is in Bee Canyon, near the confluence of Soledad Canyon. There are also historic collections from the Newhall area (Boyd, 1999). This species was not observed during the general or focused surveys of the study area and is not expected to occur due to limited amount of suitable habitat or substrate onsite.

**Palmer's Grapplinghook (*Harpagonella palmeri*)**

The Palmer's grapplinghook is a CNPS List 2 species. Clay vertisols with open, grassy slopes or open, coastal sage scrub below 830 meters (2,750 feet) above msl are typical habitats for this inconspicuous annual. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to a lack of suitable habitat or substrate onsite.

**Los Angeles Sunflower (*Helianthus nuttallii* ssp. *parishii*)**

The Los Angeles sunflower, had been considered extinct until 2004, because it had not been observed since 1937. Los Angeles sunflower is a wetland indicator species that has typically been observed in marshes and swamps (coastal salt and freshwater), but potential habitat may include the margins of linear drainages (such as the Santa Clara River) as well. This sunflower is a perennial plant that occurs below 500 meters (1,650 feet) above msl and is expected to bloom from August to October. This plant was reportedly discovered in the Newhall area of the Santa Clara River in September 2002. However, due to similarities in morphological characteristics between several species and subspecies of *Helianthus* with the potential to occur in the project region, the specific taxonomic identity of this single population of plants has not been officially confirmed at this time. The Los Angeles sunflower is currently considered a CNPS List 1A species. However, if the plant discovered in the Newhall area is confirmed as ssp. *parishii*, it is likely that this plant would be moved to CNPS List 1B and listed as Endangered under the state or federal Endangered Species Act (ESA).

The initial vegetation surveys for this project performed in 1999 occurred during the expected blooming period of the Los Angeles sunflower (e.g., September 20 and October 4). The Los Angeles sunflower was not identified onsite during the 1999 general vegetation surveys, though it should have been identifiable if present. The annual sunflower (*Helianthus annuus*) was recorded at that time. Though in the same Genus, it is not a species that may be easily confused with the Los Angeles sunflower. The focused sensitive plant

species surveys onsite were performed in April and May 2000, which was outside the typical blooming period for the Los Angeles sunflower species, and would not have been expected to observe the species (if present) at that time. This species is not expected to occur due to limited amount of suitable habitat or substrate onsite. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to the limited amount of suitable habitat or substrate onsite.

#### Short-joint Beavertail (*Opuntia basilaris* var. *brachyclada*)

The short-joint beavertail is a federal species of special concern and is listed as a CNPS List 1B species that typically blooms between April and June. This subspecies of beavertail cactus is found in chaparral, Joshua tree woodland, desert scrub, and pinyon juniper woodland in the San Gabriel and San Bernardino mountain ranges between 425 meters (1,400 feet) and 1,800 meters (5,900 feet) above msl. This species is known to occur in the Angeles National Forest. This species was not observed during general or focused surveys in the study area. Furthermore, the short-joint beavertail is not expected to occur in the study area due to lack of suitable chaparral and desert woodland habitat. Steve Boyd of Ranch Santa Ana Botanical Garden believes that the short-joint beavertail populations in Santa Clarita show characteristics of the common species, but are not the rare species *Opuntia basilaris* var. *brachyclada*. This species was not observed during general or focused surveys in the study area; furthermore, the short-joint beavertail is not expected to occur in the study area due to lack of suitable chaparral and desert woodland habitat. Please refer to Page 3-74 in the IS/EA for further clarification.

#### California Orcutt Grass (*Orcuttia californica*)

California Orcutt grass is a federal and state endangered species and a CNPS List 1B species. Vernal pools below 660 meters (2,200 feet) above msl are the preferred habitat of this inconspicuous prostrate grass. California Orcutt grass tends to grow in wetter portions of the vernal pool basins, but this annual does not show much growth until the basins become somewhat desiccated. This species was not observed during the general or focused surveys of the study area and is not expected to occur due to a lack of suitable habitat or substrate onsite.

#### Rayless Ragwort (*Senecio aphanactis*)

The rayless ragwort is a CNPS List 2 species that typically blooms between January and April. This annual herb grows in alkaline soils in cismontane woodland and coastal sage scrub below 800 meters (2,650 feet) above msl. The rayless ragwort is known from Southern

California in several counties including Los Angeles County. This species is known to historically occur in drying alkaline flats in Saugus approximately 8.0 km (5 miles) from the study area. This species was not observed during general or focused surveys in the study area; furthermore, rayless ragwort is not expected to occur in the study area due to lack of suitable habitat.

### **Wildlife Species**

Fifty special-status wildlife species are known to occur in the region. A brief description of these special-status wildlife species and their potential to occur in the study area is discussed below. Note that they are grouped by taxon and listed alphabetically according to their scientific name. Unless otherwise stated, the potential for a species to occur is considered the same regardless of whether the species is nesting/denning, foraging, or migrating through the habitat onsite.

#### ***Invertebrates***

##### ***Quino Checkerspot butterfly (Euphydryas editha quino)***

The Quino checkerspot is federally listed as endangered. The Quino checkerspot is associated with meadow habitats or clearings in scrub or chaparral communities often characterized by clay soils with low-growing herbaceous annuals including the larval host plants, dwarf plantain (*Plantago erecta*), and owl's clover (*Castilleja exserta*). These plants tend to be absent, or in very low densities, in disturbed areas supporting tall, non-native annual grasses and mustards. In undisturbed habitats, the host plants typically exhibit a very patchy distribution. Quino checkerspot larvae are "grazers" (i.e., they move from one host plant to another as they feed). Consequently, they require dense stands of one or both of the host plants. It is believed that high host-plant density is especially important in the case of *Plantago*-feeding colonies of Quino checkerspots (Ballmer and Hawks, 1997). Currently, the Quino checkerspot is known from only a few locations in southern San Diego County and western Riverside County in California, and northwestern Baja California (USFWS, January 25, 1999). The Quino checkerspot butterfly is not expected to occur onsite because it has not been observed in the project region for decades, and there is not suitable habitat in the study area.

#### ***Fish***

##### ***Santa Ana sucker (Catostomus santaanae)***

This species is a federally threatened species, and a California species of special concern. The Santa Ana sucker prefers clear, cool, rocky, and gravelly streams where it feeds on algae, diatoms, detritus, and small insect larvae. This species occurs in the Los Angeles,

San Gabriel, and Santa Ana River systems and an introduced population in the Santa Clara River. Recent court decisions have resulted in the establishment of “critical habitat” for this species; however, this site is not located in or proximal to an area designated as “critical habitat” for this species. It has a patchy distribution along the Santa Clara River. In the 1970s, the Santa Ana sucker was known from the study area in the Santa Clara River between Castaic Creek and the I-5. However, it appears to be currently restricted upstream in the Santa Clara River between Bouquet Canyon Road and I-5 (San Marino Environmental Associates, 1995). No Santa Ana Sucker was observed during surveys performed by Aquatic Consulting Services (Aquatic Consulting Services, 2002); however, the potential for the Santa Ana sucker to occur in the study area is considered to be moderate due to its known presence upstream in the Santa Clara River.

*Unarmored threespine stickleback (Gasterosteus aculeatus williamsoni)*

This species is a federal and state endangered species and a CDFG fully protected species. The stickleback occurs in weedy permanent pools or backwaters, and in slow-moving water along the margins of the stream. It occurs primarily in cool and clear water with mud or sand substrates. The unarmored threespine stickleback was once abundant throughout the Los Angeles Basin and is now known only in the upper Santa Clara River system and in San Antonio Creek in northern Santa Barbara County. The study area is included in the Del Valle Zone of the Santa Clara River, which was proposed for critical habitat for this species prior to the USFWS decision to refrain from designating critical habitat. The stickleback is known to be a year-round resident of the Santa Clara River from the confluence of the Santa Clara River and Castaic Creek to I-5, and a periodic seasonal resident of Castaic Creek when appropriate aquatic habitat is present (due to wet year runoff or sufficient agricultural/urban runoff) (San Marino Environmental Associates, 1995). In addition, the species is a periodic seasonal resident of San Francisquito Creek, a tributary to the Santa Clara River. Aquatic Consulting Services identified unarmored threespine stickleback at 3 of their 26 sampling points (3, 11, and 26) (Aquatic Consulting Services, 2002). Sampling point 26 was located approximately 0.81 Kilometer (0.5-mile) east of the interchange site; therefore, the potential for the unarmored threespine stickleback to occur in the study area is considered to be high.

*Arroyo chub (Gila orcutti)*

This species is a federal species of concern. The arroyo chub feeds on algae and prefers warm water temperatures and pool habitats with sand and mud bottoms. The chub is adapted to survive in widely fluctuating water temperatures and dissolved oxygen levels. The arroyo chub is now common at only three of its native locations: Santa Margarita and De Luz Creeks in San Diego County; Trabuco and San Juan Creeks in Orange County; and Malibu



Creek in Los Angeles County (Swift et. al, 1993). The chub has also been introduced into several rivers and streams in Southern California. The arroyo chub is known to occur in this portion of the Santa Clara River (San Marino Environmental Associates, 1995). Aquatic Consulting Services identified arroyo chub in 20 of their 26 sampling locations, including number 26 (Aquatic Consulting Services, 2002). Therefore, the potential for the arroyo chub to occur in the study area is considered to be high.

#### *Steelhead trout (Oncorhynchus mykiss)*

In Southern California, this species is a federally endangered species and a California species of special concern. The Southern steelhead is identified as one of the 15 endangered Evolutionary Significant Unit (ESUs) within its range. On February 16, 2000, the National Oceanic and Atmospheric Administration (NOAA) Fisheries designated critical habitat for 19 ESUs of West Coast salmon and steelhead. The SR-126/Commerce Center Drive portion of the Santa Clara River was included within an area designated as an ESU. In April 2002, in a "Consent Decree" the (NOAA) agreed to withdraw ESU habitat designations for 19 salmon and steelhead populations on the West Coast. However, this action does not adversely affect the protection of listed steelhead since the steelhead is still protected under the Endangered Species Act. On December 10, 2004, the NOAA, proposed critical habitat designations for 5 ESUs of steelhead in California that are listed as Threatened or Endangered.

Southern steelhead are winter-run steelhead that persist in streams that have warm, dry lower reaches on the coastal plain, which present substantial migration passage problems to and from distant headwater spawning and rearing habitats. Most coastal streams from San Luis Obispo County southward are considered potential "southern steelhead streams" by the NOAA.

Southern steelhead have received little study, although the life-history characteristics of steelhead, in general, are well known. Juvenile steelhead remain in fresh water 1 to 4 years (usually 1 to 3 years in California) and then spend 1 to 5 years (usually 2 to 3 years in California) in the ocean (NOAA website, 2002). Southern steelhead, however, probably spend less time in fresh water because of the often inhospitable conditions in the lower reaches of Southern California streams; they may, therefore, migrate to the ocean or have greater dependence on coastal lagoons during their first year. Because of frequent droughts in Southern California, the streams may be inaccessible during some years so that adult steelhead are forced to spend additional years in the ocean before having a chance to spawn (NOAA website, 2002).

It has been surmised that steelhead in Southern California also rely heavily on estuaries because many of their streams seasonally had very low flows or dried completely in the alluvial fan areas. In addition, although many lowland stream areas were perennial, they also may have dried out during the driest years. Large numbers of juvenile southern steelhead, reportedly, could often be caught in coastal lagoons in the 1930s and earlier; however, estuaries are now typically much shallower and warmer than they were at that time (NOAA website, 2002).

Major streams in Southern California originate in the coastal mountains and often cross broad alluvial areas before flowing into the sea. These low-elevation alluvial flats present inhospitably warm and fluctuating temperatures, and the streams themselves may be intermittent. The higher-elevation headwaters, therefore, are the primary spawning and rearing areas for steelhead today, although lowland reaches once may have been important, especially in wet years. It is likely that the largest steelhead populations historically occurred in streams where the upstream spawning and rearing habitats were closest to the ocean, such as in the Ventura, Santa Clara and Santa Ynez Rivers (NOAA website, 2002).

No Southern California steelhead trout were observed during surveys performed by Aquatic Consulting Services (Aquatic Consulting Services, 2002). Therefore, the potential for the steelhead trout to occur in the study area is considered to be low. If during preconstruction surveys to identify special status fish species it is determined that steelhead are present in the area then an informal consultation will be made with the NOAA concerning this find regarding the potential impacts to the steelhead trout.

### ***Amphibians***

#### ***Arroyo toad (Bufo microscaphus californicus)***

This species is a federally endangered species and a California species of special concern. Prior to a recent court decision remanding the action, the SR 126/ Commerce Center Drive project site was located within an area designated as “critical habitat” for the arroyo toad. The arroyo toad, a subspecies of the southwestern toad, is restricted to rivers with shallow, gravelly pools adjacent to sandy terraces. It forages on sandy terraces with complete canopy coverage by cottonwoods or willows. Adults excavate shallow burrows on terraces where they shelter during the day and during the dry season. This species historically occurred from San Luis Obispo to San Diego Counties along most major rivers. Currently, they are restricted to very small remnant populations in the headwaters of those rivers. Most of the remaining populations occur in the national forests. The arroyo toad is known to be present along Castaic Creek, both above and below the dam at Castaic Lake, on Department of Water and Power land and in the Angeles National Forest (USFWS, 1999). In 1994, this species

was observed in the Santa Clara River, approximately 250 meters (820 feet) east of I-5 (CDFG, 2002). Impact Sciences reports sightings made in 2001 of adult arroyo toads in the Santa Clara River at the confluence of San Francisquito Creek (Impact Sciences, Inc., 2001). Aquatic Consulting Services identified arroyo toad tadpoles in 3 of their 26 sampling locations, including number 26 (Aquatic Consulting Services, 2002). Although adults of this species have not recently been found between I-5 and its confluence with Castaic Creek, it is known to occur upstream from the study area in both the Santa Clara River west of the I-5 and Castaic Creek (San Marino Environmental Associates, 1995; Impact Sciences, 2001; Aquatic Consulting Services, 2002). Therefore, the potential for the arroyo toad to occur in the Commerce Center Drive interchange site is considered to be high (foraging) to moderate (breeding).

#### *Western spadefoot (Scaphiopus hammondi)*

The western spadefoot is a federal species of concern and a California species of special concern. The California range of this toad is the Central Valley and adjacent foothills, and the Coast Ranges from Point Conception, Santa Barbara County south to San Diego County (Stebbins, 1985; Zeiner et al., 1988). This species is typically a lowland species and is found in washes, river floodplains, alluvial fans, playas, and alkali flats (Stebbins, 1985). However, this species has been documented at elevations above 1,219 meters (4,000 feet) in the Chihuahua Valley and Boulevard areas of San Diego County (Jeff Galizio, 1999). It primarily inhabits grasslands, but does occur in other sparsely vegetated habitats (Zeiner et al., 1988). This species is rarely observed outside the breeding season. They breed in vernal pools and other seemingly ephemeral water bodies. The western spadefoot has declined substantially throughout its range; for example, greater than 80 percent of formerly occupied western spadefoot habitat from the Santa Clara River Valley, Los Angeles and Ventura Counties southward has been lost (Jennings and Hayes, 1994). The study area provides potentially suitable habitat for the western spadefoot, and it may occur. Aquatic Consulting Services did not identify this species in their 26 sampling locations (Aquatic Consulting Services, 2002). This species is considered to be present but uncommon in the Santa Clara River valley; therefore, the potential for the western spadefoot to occur in the Commerce Center Drive interchange site is considered to be moderate.

#### *California red-legged frog (Rana aurora draytonii)*

The California red-legged frog is a federally threatened species and a California species of special concern. This species requires riparian areas with deep ponds, or slow-moving waters that support dense stands of emergent vegetation such as cattails at the edge of the banks (Jennings, 1988). Adults feed primarily on aquatic and terrestrial invertebrates. There are historical records of the California red-legged frog in the Santa Clara River in Soledad

and Placerita Canyons (CDFG and USACE, 1999). The California red-legged frog has not been observed in the Santa Clara River since the 1970s despite recent survey efforts. San Marino Environmental Associates surveyed both the entire San Francisquito and Santa Clara River drainages for this species (San Marino Environmental Associates, 1995). No evidence of California red-legged frogs was found; neither tadpoles nor adults were located. In summer 1999, a small population was reported in San Francisquito Canyon north of Santa Clara by the U.S. Forest Service. Robert Fisher found that this population had increased to around 200 during surveys performed in the summer of 2002. Impact Sciences and Aquatic Consulting Services did not observe any evidence of this species during focused surveys throughout the river (Impact Sciences, Inc., 2001; Aquatic Consulting Services, 2002). The project site provides habitat with a low potential to support California red-legged frog.

### **Reptiles**

#### ***Silvery legless lizard (Anniella pulchra pulchra)***

The silvery legless lizard is a federal species of concern and a California species of special concern. It is a small, secretive lizard that spends most of its life beneath the soil, under stones, logs, debris, or in leaf litter. The silvery legless lizard inhabits areas with moist sandy soil, including dry washes, woodlands, riparian, and scrub communities at elevations ranging from sea level to about 1,524 meters (5,000 feet) above msl (Stebbins, 1985). Though new focused surveys to identify the presence/absence of this species were not conducted for this report, the results of surveys performed by Aquatic Consulting Services in 2000 for fish, reptile, and amphibian species within this portion of the river were incorporated (Aquatic Consulting Services, 2002). The study area does provide potentially suitable habitat for this species. Therefore, the potential for the silvery legless lizard to occur in the study area is moderate. To conform to the terms and conditions of the NRMP, additional focused surveys for sensitive species (including the silvery legless lizard) will be conducted to obtain VRL approval from the USACE and CDFG.

#### ***Western pond turtle (Clemmys marmorata)***

This species is a federal species of concern and a California species of special concern. The western pond turtle occurs primarily in freshwater rivers, streams, lakes, ponds, vernal pools, and seasonal wetlands; and it requires basking sites such as logs, banks, or other suitable areas above water level. The western pond turtle occurs from Monterey Bay south through the Coast Ranges to northern Baja California (Holland, 1991). The current range is similar to the historic range, but populations have become fragmented by agriculture and urban development. The western pond turtle is known to occur in the Santa Clara River between its confluence with Castaic Creek and I-5 (San Marino Environmental Associates, 1995).

Impact Sciences and Aquatic Consulting Services both reported observations of this species proximal to the interchange site; therefore, the potential for the western pond turtle to occur in the study area is considered to be high (Impact Sciences, Inc., 2001; Aquatic Consulting Services, 2002).

*Coastal western whiptail (Cnemidophorus tigris multiscutatus)*

The coastal western whiptail is a federal species of concern. It is a moderately large, slender lizard typically found in open scrub, chaparral, and woodland communities in semiarid areas or where vegetation is sparse. The species is restricted to the western coast of North America from Ventura County, south through the northern two-thirds of the Baja California peninsula. This species is expected to occur in undisturbed terraces of native habitat upland of the southern banks of the Santa Clara River; however, the study area provides limited suitable habitat. The potential for the coastal western whiptail to occur in the study area is considered to be moderate because it is expected to occur in habitat adjacent to the study area.

*San Bernardino ringneck snake (Diadophis punctatus modestus)*

The San Bernardino ringneck snake is a federal species of concern. It inhabits scrub, chaparral, native grassland, and woodland communities. This species is difficult to detect due to its secretive behavior. It occurs in elevations from sea level to 2,133 meters (7,000 feet) above msl (Stebbins, 1985). The study area provides potentially suitable habitat for this species. Therefore, the potential for the San Bernardino ringneck snake to occur in the study area is considered to be moderate.

*Coastal rosy boa (Lichanura trivirgata)*

The coastal rosy boa is a federal species of concern. The rosy boa is a rather secretive snake that is found from the deserts to the coast, but is generally uncommon throughout its Southern California range. The coastal subspecies occurs from Los Angeles County south into Baja, typically inhabiting rocky, chaparral-covered slopes and canyons up to about 1,372 meters (4,500 feet) above msl. Population declines in this subspecies are attributable to habitat loss and collecting, and it is now quite rare in much of its historic range. Although the coastal rosy boa was historically recorded in the Santa Clarita region, there are no recent records of it in the Santa Clara River (CDFG and USACE, 1999). The study area provides a limited amount of potentially suitable habitat for the coastal rosy boa. Therefore, the potential for the coastal rosy boa to occur in the study area is considered to be low.

*Coast horned lizard (Phrynosoma coronatum)*

The coast horned lizard is a federal species of concern and a California species of special concern. It is a small, spiny, somewhat rounded lizard that occurs primarily in open or sparse

scrub and chaparral communities. This species prefers loose, friable soil for burrowing. Three factors have contributed to its decline: loss of habitat, overcollecting, and the introduction of exotic ants. In some places, especially adjacent to urban areas, the introduced ants have displaced the native species upon which the lizard feeds (Hix, 1990). This species is expected to occur in undisturbed terraces of native habitat upland of the southern banks of the Santa Clara River; however, the study area provides limited suitable habitat. Therefore, the potential for the coast horned lizard to occur in the study area is considered to be moderate because it is expected to occur in habitat adjacent to the study area.

*Coast patch nose snake (Salvadora hexalepis virgultea)*

The coast patch nose snake is a federal species of concern and a California species of special concern. It is a moderate-sized, active snake that inhabits open sandy areas with rocky outcrops in coastal sage scrub and chaparral habitats. The range of the coast patch nose snake, one of three recognized subspecies, is San Luis Obispo County south into Baja California. It occurs from sea level to about 2,133 meters (7,000 feet) above msl (Stebbins, 1985). Although the coast patch nose snake was historically recorded in the Santa Clarita region, there are no recent records of it in the Santa Clara River (CDFG and USACE, 1999). The study area provides a limited amount of suitable habitat for the coast patch nose snake. Therefore, the potential for the coast patch nose snake to occur in the study area is considered to be low.

*Two-striped garter snake (Thamnophis hammondi)*

The two-striped garter snake is a federal species of concern and a California species of special concern. It occurs primarily in wetlands and is found in freshwater marsh and riparian habitats with perennial water. The two-striped garter snake feeds on small fishes, frogs, and tadpoles. The two-striped garter snake occurs from Monterey County south to Rio Rosario in Baja California. This species was not observed during surveys conducted by San Marino Environmental Associates; however, it has been previously observed in the study area in the Santa Clara River between its confluence with Castaic Creek and I-5 (San Marino Environmental Associates, 1995). Aquatic Consulting Services did not observe this species at any of their sampling points; however, Impact Sciences reported observations of this species within the Santa Clara River near the Old Road crossing and the confluence with Castaic Creek (Aquatic Consulting Services, 2002; Impact Sciences, Inc., 2001). Therefore, the potential for the two-striped garter snake to occur in the study area is considered to be high.

## **Birds**

### ***Cooper's hawk (Accipiter cooperii)***

The Cooper's hawk is a California species of special concern. Both resident and migratory populations exist in Los Angeles County. Wintering Cooper's hawks are often seen in wooded urban areas and native woodland communities. Preferred nesting habitats are oak and riparian woodlands dominated by sycamores and willows. Cooper's hawks in the region prey on small birds and rodents that live in woodland and occasionally scrub and chaparral communities. Cooper's hawks were observed rarely along the Santa Clara River in 1999 and may have nested just east of I-5 (Guthrie, 1999). W.M. Keck identified a single Cooper's hawk in both Area 1 (Santa Clara River from Old Road to the mouth of Castaic Creek) and Area 5 (Castaic Creek), and each sighting occurred on only one survey day in those areas (W.M. Keck, 2001). The Cooper's hawk is expected to occur in the study area during the winter season and migration, but its potential to occur in the study area to nest is considered to be low. The potential for the Cooper's hawk to occur in the study area during the winter season for foraging is considered to be high.

### ***Sharp-shinned hawk (Accipiter striatus)***

The sharp-shinned hawk is a California species of special concern. It is a relatively uncommon species throughout Los Angeles County that prefers woodland communities, but can also be found in virtually any habitat as it passes through the area during migration. Oak and riparian areas are preferred habitats. Some individuals probably winter in the county, while others continue to northern South America. The sharp-shinned hawk is known to occur along the Santa Clara River in the study area (CDFG and USACE, 1999). The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Therefore, the potential for the sharp-shinned hawk to occur in the study area is considered to be high potential for foraging, but no potential to nest in the study area.

### ***Tricolored blackbird (Agelaius tricolor)***

The tricolored blackbird is a federal species of concern and a California species of special concern. These colonially nesting birds prefer to breed in marsh vegetation of bulrushes and cattails and have also been recorded nesting in willows, blackberries, and mustard (Beedy et. al., 1991). During winter months, they are often found foraging in wet pastures, agricultural fields, and seasonal wetlands. Tricolored blackbirds are nomadic, wandering during the nonbreeding season and occupying colony sites intermittently (Unitt, 1984). In 1995, a colony of 200 tricolored blackbirds was observed nesting along the Santa Clara River at its confluence with Castaic Creek (CDFG and USACE, 1999). W.M. Keck identified a single tricolored blackbird in its Area 1 on only one survey day in the Santa Clara River (W.M. Keck, 2001). The potential for the tricolored blackbird to forage in the study area is

considered to be high, and the potential for the tricolored blackbird to nest in the study area is considered to be moderate.

*Southern California rufous-crowned sparrow (Aimophila ruficeps canescens)*

The Southern California rufous-crowned sparrow is a federal species of concern and a California species of special concern. In coastal Southern California, rufous-crowned sparrows are considered fairly common in scrub communities and other habitats vegetated with grasses and widely spaced low shrubs. They also prefer slopes with rock outcroppings. This subspecies is present throughout the year in Southern California. This species was observed in upland habitats in the vicinity of the study area, on Newhall Ranch (CDFG and USACE, 1999). W.M. Keck identified four rufous-crowned sparrows in their Area 1 on only one survey day in the Santa Clara River (W.M. Keck, 2001). Therefore, the potential for the Southern California rufous-crowned sparrow to occur in the study area is considered to be moderate because it is expected to occur in habitat adjacent to the study area.

*Bell's sage sparrow (Amphispiza belli belli)*

The Bell's sage sparrow is a federal species of concern and a California species of special concern. This coastal subspecies is uncommon to fairly common local resident in the interior foothills of coastal Southern California. The Bell's sage sparrow breeds in low, dense chamise chaparral and in dry scrub communities, often with stands of cactus (Garrett and Dunn, 1981). Limited suitable habitat for this subspecies is present in the study area. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Therefore, the potential for the Bell's sage sparrow to occur in the study area is considered to be low.

*Golden eagle (Aquila chrysaetos)*

The golden eagle is a California fully protected species, a California species of special concern, and is also protected by the federal Bald Eagle Act. Habitat for this species generally consists of grasslands, deserts, savannahs, and early successional stages of forest and shrub habitats. The golden eagle has been known to forage in the study area (CDFG and USACE, 1999). The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Therefore, the potential for the golden eagle to forage in the study area is considered to be moderate. However, the golden eagle is not expected to nest in the study area.

*Long-eared owl (Asio otus)*

The long-eared owl is a California species of special concern. This species is a rare resident of Los Angeles County. This species nests in oak and willow woodlands and forages in



scrub and grassland communities. Long-eared owls have declined throughout California, but the most pronounced reductions have occurred in the southwestern part of the state where a minimum 55 percent decline has been documented (Bloom, 1996). The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). The study area supports potentially suitable nesting and foraging habitat for this species; however, the potential for it to forage and nest on the site is extremely low.

#### *Ferruginous hawk (Buteo regalis)*

The ferruginous hawk is a federal species of concern and a California species of special concern. Ferruginous hawks occur in Los Angeles County from mid-fall through early spring, and forage over grasslands and the ecotone between coastal sage scrub and grasslands. The distribution of the ferruginous hawk in Los Angeles County has been greatly reduced as a result of the loss of wintering grounds. The study area provides suitable foraging habitat for this species. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Therefore, the potential for the ferruginous hawk to forage in the study area is considered to be moderate; and it has no potential to nest in the study area.

#### *Swainson's hawk (Buteo swainsoni)*

The Swainson's hawk is a state threatened species. This species formerly nested in Los Angeles County, but has since been extirpated as a breeding species. The Swainson's hawk forages over the grassland and ruderal communities in the County during migration to and from South America, primarily feeding on small rodents, reptiles, and some insects in these habitats. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). The Swainson's hawk is not expected to occur in the study area for foraging or nesting, but it may occur as a rare migrant.

#### *Northern harrier (Circus cyaneus)*

The northern harrier is a California species of special concern. It is a regular winter migrant and also occasionally breeds in Los Angeles County. It can be expected at any month of the year and can be seen foraging in grassland, scrub, and riparian communities. While once a relatively common species during fall, winter, and spring in undeveloped areas of Los Angeles County, the northern harrier population is now greatly reduced and localized in distribution. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Therefore, the potential for the northern harrier to forage in the study area is considered to be high; but the potential for it to nest in the study area is considered to be low.

*Western yellow-billed cuckoo (Coccyzus americanus occidentalis)*

Formerly a rare summer resident, this species is now extirpated from much of Southern California. The state designated the western yellow-billed cuckoo as endangered in 1988. Occasional sightings in coastal Southern California suggest that a very few breeding pairs may persist despite extensive habitat loss (Unitt, 1984). Breeding yellow-billed cuckoos are restricted to extensive deciduous riparian thickets or forest with dense, low-level or understory foliage that occur along slow-moving watercourses, backwaters, or seeps. Willows are almost always a dominant component of western yellow-billed cuckoo nesting habitat. In the 1970s, this species nested in the Santa Clara River in the vicinity of the study area; however, the cuckoo has not been observed nesting in the vicinity since that time (CDFG and USACE, 1999). Two cuckoos that were considered to be migrants were observed upstream from the study area along the Santa Clara River near the McBean bridge in 1998 (Guthrie, 1999). W.M. Keck did not identify yellow-billed cuckoo during any of their surveys in 2001 (W.M. Keck, 2001). Therefore, the potential for the western yellow-billed cuckoo to occur and to nest in the study area is considered to be low.

*Western Yellow Warbler (Dendroica petechia brewsteri)*

The subspecies of yellow warbler that breeds in Southern California is *D.p. brewsteri* (Dunn and Garrett, 1997). The CDFG has included this subspecies on its list of California Species of Special Concern. *D.p. brewsteri* occurs in coastal areas from northwestern Washington south to western Baja California (Dunn and Garrett, 1997). In Southern California, yellow warblers breed locally in riparian woodlands. In 1999, yellow warblers were found along the continuously wet sections of the Santa Clara River during the nesting season, and were observed in the outer dry sections during migration (Guthrie, 1999). W.M. Keck identified one or more yellow warblers during every survey day in their Area 1, and all but one survey day in Area 5 (W.M. Keck, 2001). The potential for the western yellow warbler to occur and nest in the study area is considered to be moderate. The potential for western yellow warbler migrants to occur in the study area is considered to be high.

*White-tailed kite (Elanus leucurus)*

The white-tailed kite is a California fully protected species. White-tailed kites, while readily observable in undeveloped portions of Los Angeles County, have begun to decline sharply in the region within the last decade. Reasons for this decline have been identified as loss of foraging habitat, roost sites, and nesting habitat. Kites typically nest in oaks, willows, and sycamores, and forage in grassland and scrub communities. White-tailed kites show strong site fidelity to nest groves and trees. The most abundant prey species of this raptor include California vole, western harvest mouse, and house mouse. In 1999, a pair of white-tailed

kites successfully nested near the confluence of the Santa Clara River and Castaic Creek (Guthrie, 1999). W.M. Keck identified a single white-tailed kite in their Area 1 on only one survey day in the Santa Clara River (W.M. Keck, 2001). Therefore, the potential for the white-tailed kite to occur in the study area is considered to be high for foraging and moderate for nesting.

*Southwestern willow flycatcher (Empidonax traillii extimus)*

The southwestern willow flycatcher is a federal and state endangered species. This subspecies was once considered a common breeder in coastal Southern California. However, this subspecies has declined drastically due to a loss of breeding habitat and nest parasitism by brown-headed cowbirds. This species occurs in riparian habitats along rivers, streams, or other wetlands where dense growths of willows (*Salix* sp.), baccharis (*Baccharis* sp.), arrowweed (*Pluchea* sp.), tamarisk (*Tamarix* sp.), or other plants are present, often with a scattered overstory of cottonwood (*Populus* sp.) (USFWS, 1995). A pair of southwestern willow flycatchers nested in the vicinity of study area in 1995. However, all observations in the vicinity of the study area since then have been of nonbreeding transients and migrants (CDFG and USACE, 1999). W.M. Keck did not observe willow flycatcher in their Area 1; however, they did record an individual during one survey day in Area 5 (W.M. Keck, 2001). According to Newhall Land, focused protocol surveys for this species were performed this year by Dr. Dan Guthrie. No records of this species at the site were made during this survey effort. The potential for the southwestern willow flycatcher to nest in the study area is considered to be low due to its small population in Southern California and the presence of better quality potential nesting habitat in the immediate project area. However, the willow flycatcher (including all subspecies) is expected to occur regularly in the study area as a migrant.

*California horned lark (Eremophila alpestris actia)*

The CDFG has included this subspecies on its list of California species of special concern. The California horned lark is found along the coast of Northern California, in the San Joaquin Valley, in the coast ranges south of San Francisco Bay, and in Southern California west of the deserts. In Southern California, this subspecies is a fairly common breeding resident in grasslands and other dry, open habitats. During the winter season, other subspecies occur in Southern California; and the horned lark (including all subspecies) can be locally common in the region. W.M. Keck reported observations of multiple individuals on a single day during their surveys in Area 5 (W.M. Keck, 2001). This species is known to occur in plowed fields and grassland habitat in the study area (Guthrie, 1999). The potential for California horned lark to occur in the study area is considered to be high.

*Merlin (Falco columbarius)*

The merlin is a California species of special concern. In California, the merlin prefers vast open-space areas such as estuaries, grasslands, and deserts where it hunts small flocking birds such as sandpipers, larks, sparrows, and pipits. In Los Angeles County, merlins are uncommon winter migrants. The study area provides potentially suitable habitat for the merlin. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). The potential for the merlin to occur in the study area is low, and there is no potential for the merlin to nest in the study area.

*Prairie falcon (Falco mexicanus)*

The prairie falcon is a California species of special concern. Because of winter and nesting habitat loss, few areas remain in Los Angeles County where prairie falcons can be consistently observed. Preferred foraging habitat in Los Angeles County includes grasslands, scrub communities, and estuaries. The study area provides suitable foraging habitat, but no nesting habitat. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Therefore, the potential for the prairie falcon to occur in the study area is considered to be low for foraging; and there is no potential for the prairie falcon to nest in the study area.

*Yellow-breasted chat (Icteria virens)*

The yellow-breasted chat is a California species of special concern. This large warbler was once a fairly common summer resident in riparian woodlands throughout California, but is now much reduced in numbers, especially in Southern California (Remsen, 1978). For nesting, this species requires dense, brushy tangles near water and riparian woodlands supporting a thick understory. The yellow-breasted chat was observed nesting along wet sections of the Santa Clara River in 1999 (Guthrie, 1999). W.M. Keck identified multiple yellow-breasted chats on four survey days in their Area 1 and one individual on one day in Area 5 (W.M. Keck, 2001). Therefore, the potential for yellow-breasted chat to occur in the study area is considered to be high.

*Loggerhead shrike (Lanius ludovicianus)*

The loggerhead shrike is a federal species of concern and a California species of special concern. This species is a fairly common resident of lowlands and foothills in Southern California. Shrikes inhabit grasslands and other dry, open habitats. They can often be found perched on fences and posts from which prey items (large insects, small mammals, lizards) can be seen. The loggerhead shrike was observed just outside the study area in mixed sage scrub along I-5. The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Because the loggerhead shrike is known to

occur in nearby upland habitat, the potential for it to occur in the study area is considered to be high.

*Summer tanager (Piranga rubra)*

The summer tanager is a California species of special concern. This species is an uncommon summer resident and breeder in desert riparian habitat. It occurs in cottonwoods and willows, especially older, dense stands along rivers and streams. The decline of this species is attributed to loss and fragmentation of mature cottonwood and willow stands. Suitable habitat for this species is found in the study area, and there are historical records of this species in the Santa Clara River (CDFG and USACE, 1999). The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). However, the summer tanager is very uncommon and has a low potential to occur in the study area.

*Coastal California gnatcatcher (Polioptila californica californica)*

The coastal California gnatcatcher is listed as a federally threatened and a California species of special concern. This species occurs in most of the Baja California arid regions, but is extremely localized in the United States, where it occurs predominantly in coastal regions of highly urbanized Los Angeles, Orange, Riverside, and San Diego Counties (Atwood, 1992). In California, this species is an obligate resident of several distinct subassociations of the coastal sage scrub plant community. Brood parasitism by brown-headed cowbirds and loss of habitat to urban development have been cited as causes of the coastal California gnatcatcher population decline (Unitt, 1984; Atwood, 1990). The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). The coastal California gnatcatcher is not expected to occur in the study area due to a lack of suitable habitat.

*Burrowing Owl (Speotyto cunicularia)*

The burrowing owl is a federal species of concern and a California species of special concern. In Los Angeles County, burrowing owls breed and forage in grasslands and prefer flat to low rolling hills in treeless terrain. They are small owls that nest in burrows in usually open habitats most often along banks and roadsides. The burrowing owl is a widespread species throughout the western United States, but has declined in this and many other areas due to habitat modification, poisoning of its prey items, and introduced nest predators. It has not been observed in the Newhall Ranch, or along San Francisquito Creek, despite recent survey efforts (CDFG and USACE, 1999). The W.M. Keck focused bird surveys did not record observations of this species in Areas 1 or 5 (W.M. Keck, 2001). Potentially suitable

habitat is present on the site; however, the potential for burrowing owl to occur onsite is considered to be low.

*Least Bell's vireo (Vireo bellii pusillus)*

The least Bell's vireo is a federal and state endangered species. The vireo is now a rare and local summer resident of the Southern California lowland riparian woodlands. While destruction of lowland riparian habitats has played a large role in driving this species to its present precarious situation, brood parasitism by brown-headed cowbirds is the most important factor in its decline (Garrett and Dunn, 1981). Local cowbird control programs have been very effective in maintaining some populations; the species has begun to recover (Small, 1994). Based on information from the USFWS, approximately 1,500 territories were located in 1995 (Hays, 1995). An individual least Bell's vireo has been observed in the Santa Clara River between I-5 and its confluence with Castaic Creek over the years (CDFG and USACE, 1999); and at least one pair nested in the Santa Clara River in 1996 (Guthrie, 1996). W.M. Keck identified a one or two individuals in their Area 1 during 4 different survey days in the Santa Clara River (W.M. Keck, 2001). Observations of least Bell's vireo breeding behavior has been reported recently in Castaic Creek near the Santa Clara River (Daniels, 2002). The project is located in an area of the Santa Clara River designated as "critical habitat" for this species. The potential for the least Bell's vireo to occur and nest in the study area is considered to be high to moderate due to the availability of potential habitat and its small population size in Southern California.

**Mammals**

*Pallid bat (Antrozus pallidus)*

The pallid bat is a California species of special concern. It most commonly occurs in mixed oak and grassland habitats. This large bat roosts in rock crevices and in cavities of trees, especially oaks. The steep hills and slopes in the project region provide potentially suitable roosting habitat for this species, while it prefers open habitats in which to hunt for insects. No evidence of bat day or night roosting was incidentally observed during the general wildlife surveys. This species is not expected to roost within the study area, though any population that does occur with the project region would have a moderate potential to forage for insects within the proposed project footprint.

*Pale Townsend's big-eared bat (Corynorhinus townsendii pallescens)*

The pale Townsend's big-eared bat is a federal species of concern and a California species of special concern. It occurs in Southern California in a variety of habitats, including oak woodlands, arid deserts, grasslands, and high-elevation forests and meadows. This bat is

known to roost in mines, caves, and buildings; therefore, the project region provides potentially suitable roosting habitat for this species. No evidence of bat day or night roosting was incidentally observed during the general wildlife surveys; therefore, although suitable foraging habitat for this species was observed in the study area, no roosting habitat is available for this species. The potential for the pale Townsend's big-eared bat to forage in the study area is considered to be low.

*Spotted bat (Euderma maculatum)*

The spotted bat is a rare species that is very striking in appearance, but is poorly known. It is a state and a federal species of concern. Although more widespread in the deserts of Southern California, the range of the spotted bat includes parts of the coastal slope of the Transverse and Peninsular Mountain Ranges from Ventura to San Diego Counties. Known roosting habitat for this species consists of rock crevices. The project region provides potentially suitable roosting habitat for this species; however, no evidence of bat day or night roosting was incidentally observed during the general wildlife surveys. The study area provides potentially suitable foraging habitat, but no potential roosting habitat for this species; therefore, the potential for the spotted bat to occur in the study area is considered to be low.

*California mastiff bat (Eumops perotis californicus)*

The California mastiff bat is a federal species of concern and a California species of special concern. This species, the largest bat in the United States, is a very wide-ranging and high-flying insectivore that typically forages in open areas with high cliffs. This species roosts in small colonies in crevices on cliff faces. The project region provides potentially suitable roosting habitat for this species; however, no evidence of bat day or night roosting was incidentally observed during the general wildlife surveys. The study area provides potentially suitable foraging habitat, but no potential roosting habitat for this species; therefore, the potential for the California mastiff bat to occur in the study area is considered to be low.

*California leaf-nosed bat (Macrotus californicus)*

The California leaf-nosed bat is a federal species of concern and a California species of special concern. This species is known from Riverside, Imperial, San Diego, and San Bernardino Counties south to the Mexican border. Former populations have disappeared from coastal basins, from Los Angeles to San Diego Counties. Habitat for this species includes desert riparian, desert wash, desert scrub, desert succulent scrub, alkali desert scrub, and palm oases. This species prefers to roost in caves and mines, but may also roost in

bridges or buildings. Because the species is no longer found in Los Angeles County and only limited suitable roosting habitat is available, the California leaf-nosed bat is not expected to occur in the study area.

*Small-footed myotis (Myotis ciliolabrum)*

The small-footed myotis is a federal species of concern. This bat occurs throughout much of the western United States occupying a variety of habitats. This species feeds among trees or over brush and roosts in cavities of cliffs, trees, or rocks and in caves or mines. The project region provides potentially suitable roosting habitat for this species; however, no evidence of bat day or night roosting was incidentally observed during the general wildlife surveys. The study area provides potentially suitable foraging habitat, but no potential roosting habitat for this species; therefore, the potential for the small-footed myotis to occur in the study area is considered to be moderate.

*Yuma myotis (Myotis yumanensis)*

The Yuma myotis is a federal species of concern. It is a relatively small bat that occurs throughout California, except for much of the deserts. This species is closely associated with water and wooded canyon bottoms throughout its range. Caves and old buildings are preferred roosting habitat, with roosts numbering up to 2,000 individuals. The project region provides potentially suitable roosting habitat for this species; however, no evidence of bat day or night roosting was incidentally observed during the general wildlife surveys. The study area provides potentially suitable foraging habitat, but no potential roosting habitat for this species; therefore, the potential for the Yuma myotis to occur in the study area is considered to be low.

*San Diego blacktailed jackrabbit (Lepus californicus bennettii)*

The San Diego blacktailed jackrabbit is a federal species of concern and a California species of special concern. The San Diego subspecies of the widespread blacktailed jackrabbit is restricted to the Pacific slope from Santa Barbara County to northwestern Baja California. This nocturnal species prefers relatively open areas with sparse shrub cover. This species is known to occur in upland areas adjacent to the Santa Clara River (CDFG and USACE, 1999). Therefore, the potential for the San Diego black-tailed jackrabbit to occur in the study area is considered to be high.



*San Diego desert woodrat (Neotoma lepida intermedia)*

The San Diego desert woodrat is a federal species of concern and a California species of special concern. This species occupies arid areas with sparse vegetation types, especially those comprised of cactus and other xeric plants, such as open chaparral and coastal sage scrub. This subspecies of desert woodrat is restricted to the Pacific slope in a range that stretches from San Luis Obispo County to northwestern Baja California. This species prefers to nest in rock crevices. Diagnostic woodrat sign was observed during the general wildlife surveys performed on the site, though the exact species of woodrat could not be discerned. Though this site appears to be located within the range of the San Diego desert woodrat, it is also located within the range of the dusky-footed woodrat (*Neotoma fuscipes*). The dusky-footed woodrat prefers wooded or forested habitats where it feeds and nests in the brushy understory. The riparian vegetation associated with the river at this site would appear to be more hospitable to the dusky-footed woodrat than the San Diego desert woodrat; therefore, the sign observed is not expected to have been that of the San Diego woodrat due to the density and type of vegetation observed onsite. This species is not expected to occur because no suitable habitat is present in the study area. It is anticipated that a survey performed in support of the VRL would confirm the absence of potential habitat for this species. Should this VRL survey determine that habitat with the potential to support this species has developed on the site, then an additional focused survey for this species would be conducted at the appropriate time of year consistent with the requirements of the NRMP USACE and CDFG permit.

*Southern grasshopper mouse (Onychomys torridus ramona)*

The southern grasshopper mouse is a federal species of concern and a California species of special concern. It is a territorial predatory rodent of grassland and sparse scrub communities that prefers sandy soils and ranges from Los Angeles County to northwestern Baja California. Although potentially suitable habitat for this species is present in the study area, the potential for the southern grasshopper mouse is considered to be low due to its limited distribution.

*American badger (Taxidea taxus)*

Although not formally considered a special-status species, the American badger is considered locally rare. This species occupies a wide variety of habitats and ranges throughout the state except for the coastal redwood forests of the extreme northwest. In Southern California, this species is most commonly associated with grasslands and other relatively open habitats with friable, uncultivated soils. Suitable habitat for this species is present in the study area, and the potential for the American badger to occur in the study area is considered to be moderate.

### **3.9.2 Permanent Impacts**

#### **Special-Status Plant Species**

Project implementation may result in impacts to special-status plant species; however, the presence or absence of these species potentially present cannot be determined without focused surveys. A focused plant survey, conducted in 2003, located one population of Peirson's morning glory that consisted of approximately 38 plants on a berm, between Henry Mayo Parkway and SR 126. No other special-status species were observed during the focused survey. Impacts to special-status plants observed onsite are limited to the Peirson's morning glory. No other impacts to special-status plants are anticipated because none were observed during either general or focused surveys performed onsite.

#### **Special-Status Wildlife Species**

The project would result in the loss of habitat for several special-status wildlife species expected to occur in the study area, but were otherwise not observed during focused surveys due to their secretive nature or limited distribution. For those species not observed but expected to occur, potential impacts were evaluated for the habitat the species is expected to occupy.

#### ***Invertebrates***

The Quino checkerspot is not expected to occur in the study area. Therefore, project implementation would not result in any impacts to the Quino checkerspot.

#### ***Fish***

The Santa Ana sucker, unarmored three-spine stickleback, arroyo chub, and steelhead trout occur in the Santa Clara River, with the stickleback and chub known to occur between I-5 and the Santa Clara River confluence with Castaic Creek. Recent observations of Santa Ana sucker or steelhead trout have not been recorded within the project area. Because the proposed project would impact only one bank on the upper terrace of the Santa Clara River, no direct impacts to these fish are expected.

#### ***Amphibians***

The study area provides potentially suitable habitat for the arroyo toad. The study area also provides potentially suitable habitat for the western spadefoot. The proposed project would impact 4.12 hectares (10.17 acres) of potential estivating habitat for these species, and individuals of this species could be harmed or their reproduction disrupted by construction or operation of the project, if the species is present on site. The loss of arroyo toad, if present, would represent an adverse impact, requiring mitigation. The loss of western spadefoot, if present, would represent an adverse impact, requiring mitigation.

The California red-legged frog is not expected to occur in the study area. Therefore, project implementation would not result in any impacts on the California red-legged frog.

### **Reptiles**

Special-status reptile species potentially occurring in the study area include the silvery legless lizard, western pond turtle, coastal western whiptail, San Bernardino ringneck snake, coastal rosy boa, coast horned lizard, coast patch nose snake, and the two-striped garter snake. The coastal western whiptail, coast horned lizard, coastal rosy boa, and coast patch nose snake primarily occur in upland habitats. Because the proposed project would not impact any native upland habitat, project implementation would not result in adverse impacts on the coastal western whiptail, coast horned lizard, coast patch nose snake, and the coastal rosy boa.

The silvery legless lizard, western pond turtle, San Bernardino ringneck snake, and two-striped garter snake may use the riparian habitats on the site. The proposed project would impact approximately 4.12 hectares (10.17 acres) of riparian habitat for these species. None of these species are listed as threatened or endangered by state or federal resource agencies; however, the western pond turtle and two-striped garter snake meet the criteria in Section 15380 of CEQA. The silvery legless lizard and San Bernardino ringneck snake do not meet the criteria in Section 15380. The loss of western pond turtle and two-striped garter snake would represent an adverse impact, requiring mitigation.

### **Birds**

A variety of bird species that are considered special status, but not listed as threatened or endangered by state or federal resources agencies, occur or potentially occur in the study area. The federal Migratory Bird Treaty Act (MBTA) prohibits the “take” of migratory birds, unless permitted. This regulation can constrain construction activities that have the potential to affect nesting birds either through vegetation removal and land clearing, or through other construction- or operation-related disturbance. The MBTA protects most nesting birds except introduced or exotic species. The species likely affected include the tri-colored blackbird, Southern California rufous-crowned sparrow, Bell’s sage sparrow, yellow warbler, California horned lark, yellow-breasted chat, loggerhead shrike, and summer tanager. The Southern California rufous-crowned sparrow and Bell’s sage sparrow primarily occur in upland habitats not present in the study area. Therefore, project implementation would not result in impacts on these species. The proposed project would result in a loss of 13.21 hectares (32.64 acres) of disturbed/ruderal, and agricultural land that would be used by the tricolored blackbird, California horned lark, and loggerhead shrike. The proposed project would result in the loss of 4.12 hectares (10.17 acres) of riparian habitat for the summer tanager, tricolored

blackbird, western yellow warbler, and yellow-breasted chat. Due to the abundance of similar habitat nearby, impacts to these species would be negligible.

The western yellow-billed cuckoo, southwestern willow flycatcher, coastal California gnatcatcher, and least Bell's vireo are listed as either threatened or endangered by state and federal resource agencies. The coastal California gnatcatcher occurs in upland habitat not present in the study area. Therefore, project implementation would not result in impacts on this species. The proposed project would impact approximately 4.12 hectares (10.17 acres) of riparian habitat for the western yellow-billed cuckoo, southwestern willow flycatcher, and least Bell's vireo. None of these species is known to nest in the Santa Clara River during the 1999 breeding season. However, the southwestern willow flycatcher is known to have nested in the Santa Clara River in 1995, while the least Bell's vireo is known to have nested there in 1998. The least Bell's vireo and willow flycatcher (including other subspecies) have been observed in the Santa Clara River and judged to be migrants in both 1998 and 1999 (Guthrie, 1995; 1998; 1999). In addition, with habitat loss, noise from construction could discourage or disrupt nesting in the vicinity. The western yellow-billed cuckoo is thought to have been extirpated as a breeding species in the Santa Clara River, but individuals judged to be migrants have been observed in or near the study area in recent years (Guthrie, 1998). However, the project could impact this species, should the western yellow-billed cuckoo establish nests within the immediate project area prior to the implementation of project construction. The loss of habitat or individuals, or disruption of breeding activities for these species would represent an adverse impact, requiring mitigation.

The proposed project would result in the loss of suitable foraging and/or nesting habitat for a variety of raptor species including the Cooper's hawk, sharp-shinned hawk, golden eagle, long-eared owl, ferruginous hawk, Swainson's hawk, northern harrier, white-tailed kite, merlin, prairie falcon, and burrowing owl. Of these species, the Swainson's hawk is state threatened; and the golden eagle and white-tailed kite are considered CDFG fully protected species. The loss of foraging habitat for these species would cumulatively contribute to the ongoing regional and local loss of foraging habitat. However, a relatively substantial amount of similar foraging habitat is available in the region.

The Cooper's hawk, long-eared owl, northern harrier, white-tailed kite, and burrowing owl, in addition to common raptor species, have potential to nest in the study area. The burrowing owl is considered to meet the criteria in Section 15380 in CEQA. Should a burrowing owl nest be found onsite, measures to minimize harm will be implemented to reduce potential impacts to a level that will not be adverse. Should an active raptor nest (of any raptor species) be found onsite, the loss of the nest would be considered a violation of the California

Fish and Game Code 3505.5. The loss of active raptor nests would represent an adverse impact, requiring mitigation.

### **Mammals**

Special status mammal species potentially present in the study area include the pallid bat, pale Townsend's big-eared bat, spotted bat, California mastiff bat, San Diego black-tailed jackrabbit, small-footed myotis, Yuma myotis, and southern grasshopper mouse. The proposed project would result in the loss of upland habitat for the San Diego black-tailed jackrabbit, southern grasshopper mouse, and American badger. Due to the low status of these species and the limited amount of habitat loss relative to the availability of similar habitat nearby, impacts on these species would be considered negligible.

The proposed project would impact potential foraging habitat for the six bat species. The loss of potential foraging habitat for these species would cumulatively contribute to the ongoing regional and local loss of foraging habitat for these species. However, similar foraging habitat is available nearby. The pallid bat and the small-footed myotis also have potential to roost in the study area. However, due to limited amount of habitat loss relative to the availability of similar habitat nearby, impacts on roosting habitat for these species would be negligible.

### **3.9.3 Temporary Impacts**

#### **Noise Impacts**

Noise levels in the study area would increase over present levels during construction of the proposed project. During construction, temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and denying activities for a variety of wildlife species. Figure 3.9-1 illustrates the noise contours at 60 dBA and 65 dBA for pile driving and roadway construction noise impacts. Most species in the vicinity of the study area are not listed as threatened or endangered by state or federal resource agencies. However, if the western yellow-billed cuckoo, southwestern willow flycatcher, least Bell's vireo, and several common and special-status raptor species, including white-tailed kite and burrowing owl, establish nests within or contiguous to the project site prior to implementation of construction, then construction-related noise would have the potential to result in temporary short-term impacts to these species. Impacts from construction noise may result in the temporary displacement of birds from their nests to adjacent habitat areas due to these disturbances, thus leaving the nests unprotected and subject to predation or infestation by nest parasites such as the brown-headed cowbird. Noise impacts on these species nests, or nesting activities, may occur because these species are protected by federal and state wildlife laws and by Section 15380 of CEQA.

Noise would also increase over present levels when the traffic on roads adjacent to the riverbed increases (see Figure 3.9-1). Therefore, habitat remaining onsite adjacent to development would be considered disturbed. Wildlife stressed by noise may be dispersed from the remaining onsite natural open space, leaving only wildlife tolerant of human activity. Chronic (permanent) noise would contribute to an incremental loss of habitat, it but would not likely reduce wildlife populations to below self-sustaining levels at the project site.

### **Increased Dust and Urban Pollutants**

Grading activities would disturb soils and result in the accumulation of dust on the surface of the leaves of trees, shrubs, and herbs. The respiratory function of the plants in the area would be impaired when dust accumulation is excessive. This effect of project construction on the native vegetation in the immediate vicinity of the construction area would not reduce plant populations below self-sustaining levels.

Additional impacts to biological resources in the area could occur as a result of changes in water quality. Urban runoff from the proposed project containing petroleum residues and the potential for improper disposal of petroleum and chemical products from construction equipment (temporary) or infrastructure areas (i.e., vehicles, improper disposal of chemicals) (permanent) could adversely affect water quality. This, in turn, would affect populations of aquatic species (including common and special-status fish, amphibian, and reptile species) and other species that use riparian areas (including common and special-status amphibian, reptile, birds, and mammal species). Water quality could also be adversely affected by runoff of nutrients from project landscape features. These impacts could impact the Santa Ana sucker, unarmored three-spine stickleback, arroyo chub, arroyo toad, southwestern pond turtle, and two-stripe garter snake, and could reduce the biological value of riparian habitats in the immediate project area. Impacts to federal or state listed species or Species of Special Concern would represent an adverse impact, requiring mitigation. Standard BMPs implemented through the SWPPP and NPDES permit would reduce the level of impact.



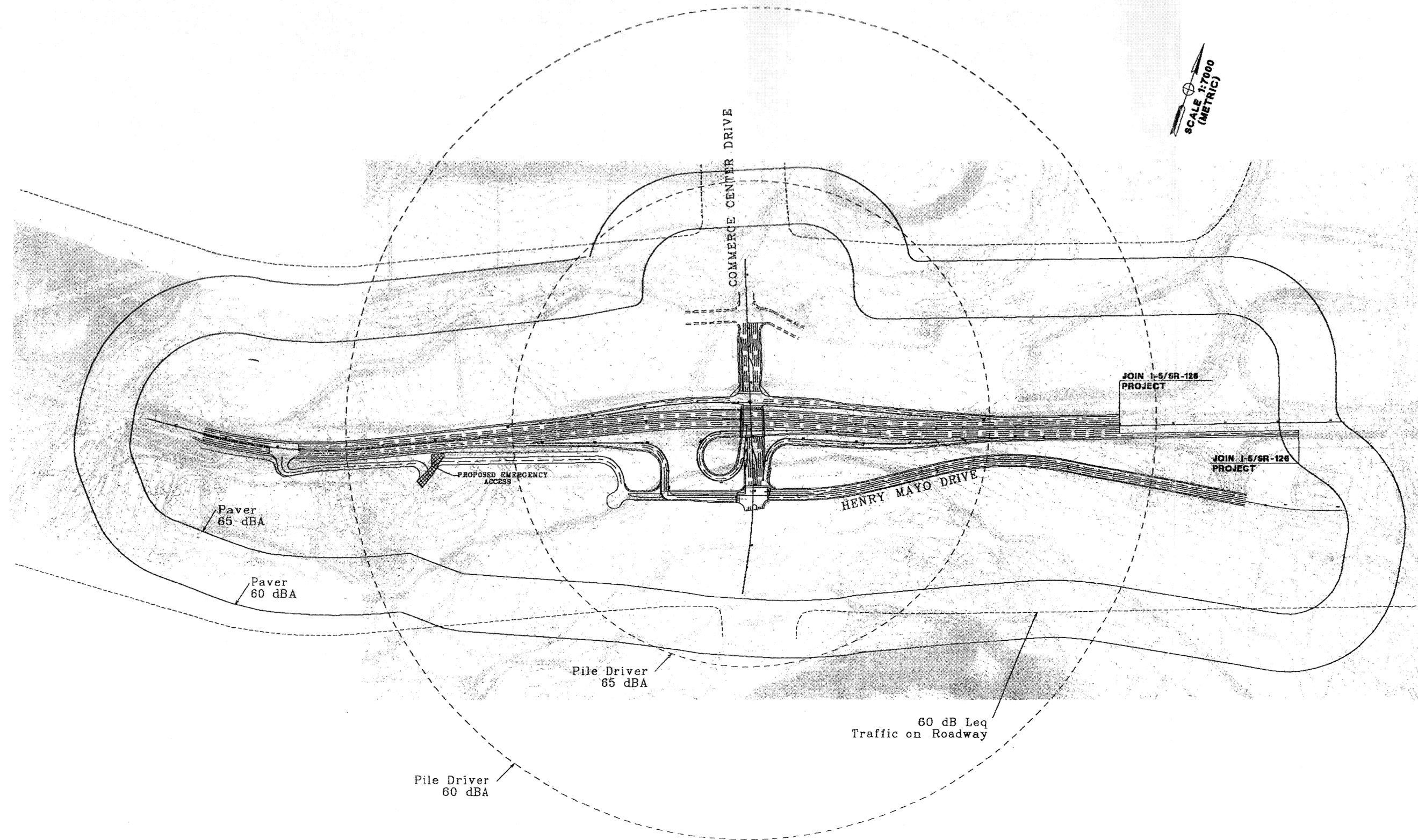


Figure 3.9-1  
Construction and Permanent Traffic  
Noise Contours  
SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



### **3.9.4 Measures to Minimize Harm**

#### **Significant Ecological Areas**

SEAs were established in 1976 by Los Angeles County to designated areas with sensitive environmental conditions and/or resources. SEA boundaries are general in nature, and broadly outline the biotic resources of concern. The Los Angeles County General Plan allows development in SEAs as long as development is “highly compatible” with the identified resources (CDFG and USACE, 1999).

The Santa Clara River Significant Ecological Area (SEA 23) is defined by the County of Los Angeles as the “essential watershed system” of the Santa Clara River. The portions of the project site within SEA 23 may be roughly described by the bed and bank of the Santa Clara River and Castaic Creek. The Santa Clara River SEA is protected as a regionally significant biological resource. The value of this SEA is derived from the inherent value of the wetland habitat and associated species, and from its function as a regional wildlife corridor. The river was designated as an SEA primarily because of the threat of loss of suitable habitat for the unarmored threespine stickleback. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been channelized. The broad wash is unlike that found in steeper mountain canyons and is exceedingly difficult to find in the Los Angeles basin. Uses normally allowed in the corresponding land use classification would continue to be permitted unless a finding is made that the proposed project would have an adverse affect on the SEA (Los Angeles County Department of Regional Planning 1990).

#### **Critical Habitat and Evolutionary Significant Unit**

Critical habitat identifies specific areas that are essential to the conservation of a listed species and, with respect to areas within the geographic range occupied by the species, that may require special management considerations or protection. The USFWS does not designate critical habitat on lands covered by an existing, legally operative, incidental take permit for the arroyo toad under section 10(a)(1)(B) of the Act, except for one area that has activities not covered by the Habitat Conservation Plan (HCP). Subsection 4(b)(2) of the Act allows the USFWS to exclude from critical habitat designation in areas where the benefits of exclusion outweigh the benefits of designation, provided the exclusion will not result in the extinction of the species.

Least Bell’s Vireo Critical Habitat primary constituent elements, as designated by the USFWS, are those habitat components that are essential for the primary biological needs of foraging, breeding, growth of juveniles, intra-specific communication, dispersal, migration,

genetic exchange, and sheltering of the species. All areas designated as critical habitat for the least Bell's vireo contain one or more of the primary constituent elements.

The Santa Clara River was included within a Steelhead Trout ESU for this species in February 2000 by the NOAA. The Southern steelhead is identified as one of the 15 endangered ESUs within its range. On February 16, 2000, the NOAA Fisheries designated critical habitat for 19 ESUs of West Coast salmon and steelhead. In April 2002, in a "Consent Decree" the NOAA agreed to withdraw ESU habitat designations for 19 salmon and steelhead populations on the West Coast. The move was in response to litigation challenging the process by which this agency established critical habitat (see [www.nwr.noaa.gov/1press/CHdecree.html](http://www.nwr.noaa.gov/1press/CHdecree.html)). However, this action does not adversely affect the protection of listed steelhead since the steelhead is still protected under the Endangered Species Act. On December 10, 2004, the NOAA, proposed critical habitat designations for 5 ESUs of steelhead in California that are listed as Threatened or Endangered. Measures to minimize harm to avoid or minimize environmental impacts have been incorporated and have been included as special conditions of the 404 permit. Monitoring of these measures will be required. A summary of measures to minimize harm is provided below.

### ***Aquatic Species Protection***

Measures to protect the unarmored threespine stickleback and several other special-status fish and aquatic species include the following measures (among others): (1) preconstruction surveys and temporary fish relocation by the USFWS or its agents; (2) restoration of adversely affected streams after construction; (3) diversion of streamflow around active construction sites in the river; and (4) use of sedimentation retention ponds, where needed. If during preconstruction surveys to identify special status fish species it is determined that steelhead are present in the area then an informal consultation will be made with the NOAA concerning this find regarding the potential impacts to the steelhead trout.

### ***Bird Species Protection***

Measures to avoid adverse impacts to the least Bell's vireo and southwestern willow flycatcher and other special-status bird species include the following measures: (1) conduct preconstruction surveys to determine presence or absence, (2) prohibit construction within 91 meters (300 feet) of an active nest, (3) discourage human and pet entry into sensitive habitat areas, and (4) replace vireo habitat that must be removed (consistent with the ratios recommended in the Riparian Habitat Mitigation Program of the NMRP).

### ***Restoration of Temporarily Disturbed Areas***

After the installation of the bank protection, the riverbed would be restored to its original elevation. Salvaged native vegetative debris would be spread out over the disturbed area to

allow seeds and propagules to become established naturally. In addition, large trees would be replaced with 1- and 5-gallon native container stock at a 3:1 ratio.

### ***Riparian Habitat Mitigation Program***

The Riparian Habitat Mitigation Program is designed primarily to create new riparian habitat that would mitigate for the loss of riparian habitat. The habitat acreage replacement ratio would be 1:1 if the replacement occurred 2 years prior to project construction, or would be 2:1 or 3:1 (depending upon habitat values) if the habitat replacement were implemented concurrently with project construction. Newhall Land would have the option of removing the invasive giant reed from infested riparian habitat with prior approval from the USACE or CDFG. Riparian habitat would be created in selected, appropriate bare riverbed areas that exhibit suitable hydrology (not too dry and not within a scour zone). Riparian restoration and weeding success would be monitored annually, with specific performance criteria to be evaluated at 3 and 5 years after implementation.

### ***Upland Habitat Mitigation Program***

Measures to protect nonlisted, but otherwise considered special-status upland species and their habitat include preconstruction surveys to locate and remove individuals from construction sites and replacement of such habitats in the upland habitat buffer zone.

Habitat remaining immediately adjacent to the proposed project would be considered disturbed by the increased noise levels by the proposed project (primarily pile driving). The wildlife within these noise disturbance areas would incur an increase level of stress (inability to communicate effectively/efficiently during breeding season, masking mating/warning vocalizations, etc.). Although these noise impacts would have some potential to contribute to an incremental loss of wildlife habitat, the impact would not reduce the local wildlife population. Using simple divergence over distance (6-dBA reduction per doubling of distance), resulting estimated pile driver noise level would be 80 dBA at 700ft. This estimate is for an impact pile driver. Depending on soil conditions in the area, alternative pile driving methods, such as vibratory pile driving, may be practical, which would result in a reduction of 5 dBA in noise levels (75 dBA). Additional noise reduction could be realized through shielding provided either by natural terrain or by placement of temporary barriers or excess soil generated through construction between the noise source(s) and receiving areas.

Construction activity will be limited to normal construction time window for the area (7:00 AM to 7:00 PM weekdays and 8:00 AM to 6:00 PM Saturdays).

### **Water Quality Protection**

The Newhall Land Company Drainage Plan will ensure that adverse water quality impacts will not occur from construction site erosion and municipal stormwater. The design and implementation of the water quality measures must meet current standards established by the RWQCB, and cannot adversely impact waters of the United States.

### **Environmental Protection and Maintenance**

The river maintenance procedures have been designed to avoid impacts on Endangered species and minimize impacts on other riparian resources through the use of preconstruction surveys, limitations on areas where work can be performed, relocation of special-status species from work areas, and seasonal restrictions on work near Endangered species habitats.

The NRMP will have a beneficial impact by reducing the project-by-project authorizations by the USACE, which will result in more efficient use of staff resources. It will also provide long-term, agreed-upon mitigation and monitoring standards and a conservation easement (in favor of CDFG) for a 485.6-hectare (1,200-acre) area involving approximately 20.9 km (13 miles) of riverbed property. In addition, it will reduce in-stream channeling and maintenance activities by LACDPW as compared to the level that would occur if such activities were undertaken in the traditional fashion of clearing vegetation to increase capacity.

An EIR/EIS was prepared and certified for the NRMP, which programmatically addressed the impacts expected to result from the Commerce Center Drive at SR 126 project. Section 7 consultation occurred with, and a Biological Opinion was issued by the USFW during the ACOE permitting component of the NRMP. If the implementation of this project is consistent with the previous analysis as well as the terms and conditions of issued entitlements and permits issued for the NRMO, then Section 7 consultation with the USFW need not be reinitiated.

The USFWS considers the Santa Clara population of the Santa Ana Sucker to be an introduced population. Therefore, the USFWS does not include the Santa Clara population with the other Threatened populations in the Los Angeles River, San Gabriel River, and Santa Ana River drainage systems (USFWS, April 12, 2000). Recent court decisions have resulted in the establishment of "critical habitat" for this species; however, this site is not located within or proximal to an area designated as "critical habitat" for this species.

The USFWS issued a Biological Opinion (BO) on November 27, 1998, that concluded that the NRMP is not likely to jeopardize the continued existence of the stickleback, vireo, or flycatcher, or adversely modify critical habitat designated for the vireo or proposed for the

stickleback. Another BO was issued on November 15, 2002, that concluded that the NRMP would not likely jeopardize the continued existence of the arroyo toad. A summary of the measures to minimize harm for the arroyo toad include: four pre-construction surveys (two day surveys, two night surveys) conducted by a biologist approved by the USFWS within 48 hours prior to construction; an education program for construction workers on measures to protect the arroyo toad; protective measures described in the NRMP; plans relating to the inadvertent release of hazardous materials be in place prior to the onset of ground-disturbing activities and be available at construction site, sensitive areas to be marked and avoided to reduce the potential for take associated with proposed restoration efforts and any arroyo toads killed during project activities must be reported to the USFWS by telephone and in writing within 3 working days of the finding. It is anticipated that subsequent BOs would be issued, as appropriate, in the event that NRMP required an amendment to include other species not covered in the NRMP as approved. The 404 permit and the NRMP will be effective through December 2018.

### **Special-Status Plant Species Mitigation**

The proposed project has the potential to adversely impact a small population (<40 individuals) of the CNPS List 4 plant Peirson's morning glory. Necessary mitigation would occur consistent with NRMP BIO-4, or NRMP BIO-5 mentioned in Sections 3.6.5 and 3.7.5, as appropriate. Mitigation may include surveys for special-status plant species prior to construction. If any of these species is present in the study area, then appropriate measures to minimize harm shall be developed. During the spring prior to grubbing or grading (or as determined by the Project Biologist), the limits of individual populations of Peirson's morning glory to be impacted shall be flagged and individual plants shall be marked with pin flags to facilitate the locating of individual plants. Prior to construction, seeds shall be collected from Peirson's morning glory plants from approximately May through June from ripened seed heads, for later propagation, by personnel experienced in collection of native seed and native plant propagation. This seed shall be stored by a certified seed bank. An appropriate site within the project right-of-way shall be identified for the seeding of this species by the Project Biologist. The site shall have similar soils, slope, aspect, and microhabitat characteristics as the site with occupied Peirson's morning glory to support this species. Other appropriate measures to minimize harm may include relocation or purchase of offsite populations for inclusion to adjacent open-space areas.

### **Special-Status Wildlife Species Mitigation**

The proposed project would result in potential direct impacts on several special status wildlife species that may occur within the Fremont cottonwood riparian forest and uplands of the proposed project footprint. These species may include, but are not limited to, the arroyo

toad, two-striped garter snake, southwestern pond turtle, silvery legless lizard, and San Diego desert woodrat. Implementation of the measures required by the NRMP previously referenced or listed in Section 3.8.5 to minimize harm. Specifically these include NRMP mitigation measures BIO-2 (for potential impacts to unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle; BIO-3 (for potential impacts to least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, and potentially foraging bats); BIO-4 (for restoration of temporarily disturbed habitats); BIO-5 (for permanent impacts to riparian habitat); BIO-20 (for burrowing owl); BIO-21 (for tricolored blackbirds); and BIO-22 (for nesting raptors).

### 3.10 Floodplains

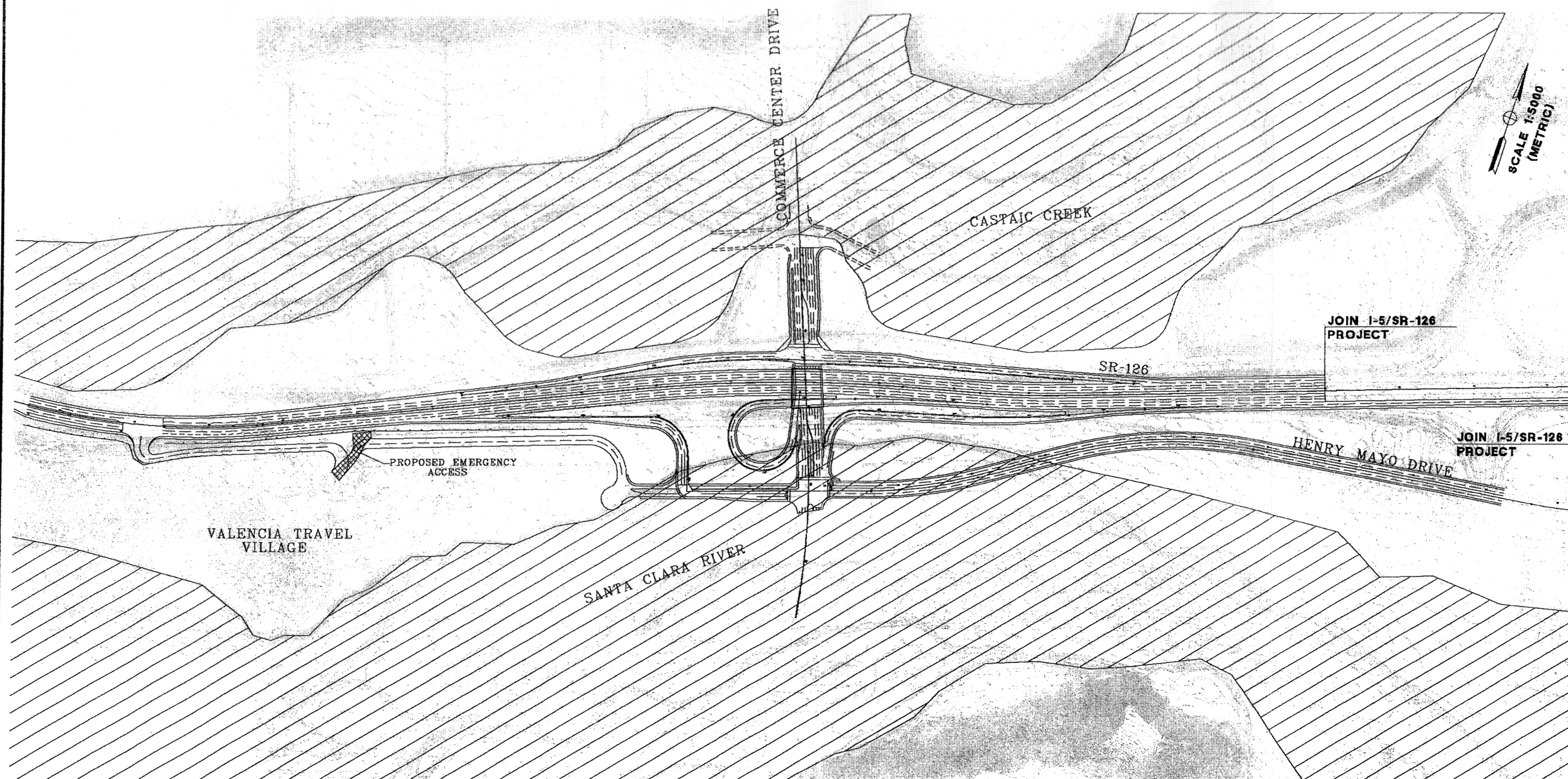
The following section is based on a technical report titled, *Final Location Hydraulic Study*, prepared by CH2M HILL in August 2004 (CH2M HILL, 2004a).

#### 3.10.1 Affected Environment

As discussed in the Floodplain Evaluation (CH2M HILL, 2004d) and Location Hydraulics Study (CH2M HILL, 2004a), land adjacent to the Santa Clara River and Castaic Creek is located in the Federal Emergency Management Agency (FEMA) base floodplain, and in the Capital Floodplain designated by the LACDPW. The project improvements are located in FEMA Flood Zone "A" and County Adopted Floodway Map (43-ML27). The Capital Floodplain includes all land subject to flooding during a Capital Flood<sup>1</sup>. According to the County Floodplain Ordinance, land development in the Capital Floodplain can occur if appropriate flood protective measures are implemented according to the requirements of the LACDPW. These measures require that the bottom elevations of all structures be at least one foot above the design flood. The flood depth for the 100-year storm will be mitigated based on FEMA Guidelines. Usually, the depth increase will not be adverse if it is a depth less than one foot; and no mitigation would be required. In addition, any structures that would increase the design flood more than 0.3 meter (1 foot) must be offset by nearby approved stream improvements. As shown in Figure 3.10-1, the proposed project is located within the 100-year floodplain.

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<sup>1</sup> A Capital Flood is defined as the discharge resulting from a hypothetical 4-day storm with a 50-year return period falling on a saturated watershed with debris from a wildfire. The Capital Flood discharge greatly exceeds the 100-year discharge calculated by FEMA.



SOURCE: NATIONAL FLOOD INSURANCE PROGRAM.  
 FLOOD INSURANCE RATE MAP.  
 LOS ANGELES COUNTY, CA  
 (UNINCORPORATED AREAS) PANELS 340 & 345 OF 1275.  
 DEC. 2, 1980

 FLOODPLAIN

Figure 3.10-1  
 Floodplain Locations  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)



### 3.10.2 Permanent Impacts

As discussed in the Floodplain Evaluation Report, written under the guidance of Section 23, CFR Section 650.111, and shown in Figure 3.10-1, the proposed project is located within the base floodplain of the Santa Clara River, although not the base floodplain for Castaic Creek (CH2M HILL, 2004d). ). Encroachment into the floodway will require a Conditional Letter of Map Revision (CLOMR) and a revision to the County Adopted Floodway Map, which must be adopted by the Los Angeles County Board of Supervisors. As part of the project, the Commerce Center Drive/Henry Mayo Drive intersection would be relocated 125 meters (410 feet) to the south of the proposed SR 126/Commerce Center Drive interchange, placing the Commerce Center Drive/Henry Mayo Drive intersection, as well as part of Henry Mayo Drive itself, into the Santa Clara River floodplain. Approximately 3.79 hectares (9.37 acres) of the floodplain would be affected by components of the project. Consequently, the project would result in impacts to natural and beneficial floodplain values, which may include impacts to fish, wildlife, plants, open space, natural beauty, water quality maintenance, and groundwater recharge. Impacts to the natural and beneficial floodplain values will be prevented through the use of BMPs and mitigated in the NRMP prepared by the Valencia Company in 1998 (now Newhall Land) with the oversight and approval of the CDFG and USACE.

The 404 Permit and 1603 Streambed Alteration Agreement for portions of the Santa Clara River have been identified in the NRMP. Under the NRMP each project (including this project) is required to complete the verification request letter (VRL) process under the Valencia Company's master 1603 Lake or Streambed Alteration Agreement, California Incidental Take Permit, and ACOE 404 permit. Where appropriate, the measures to minimize harm from the NRMP were used to ensure that this project is consistent with the 404 permit issued to Valencia Company in December 1998 and are referenced as described in the *Mitigation Monitoring and Reporting Program, Valencia Company, Revised Natural River Management Plan*. The NRMP analyzes impacts resulting from Newhall Land projects for the next 20 years and shows mitigation for approximately 11.3 hectares (28 acres) of the riverbed that would be filled for bank protection and land development. The document also provides a mitigation program for several proposed projects adjacent to the Santa Clara River, including this project. The mitigation sited in the NRMP is through post-construction restoration. Up to 39.3 hectares (97 acres) of uplands would be located within the new bank protection, and could be excavated to create new riverbed habitat as part of the riparian habitat mitigation program. The net result of these actions would be a potential gain of 15.8 hectares (69 acres) of riverbed. The habitat acreage replacement ratio would be 1:1 if the replacement occurred two years prior to project construction, or would be 2:1 or 3:1



(depending upon habitat values) if the habitat replacement were implemented concurrent with project construction.

The proposed project is low risk, and would not put any property at risk of flooding. The proposed project would not result in permanent land use development that is incompatible or inconsistent with the Los Angeles County General Plan and Zoning, and would not support incompatible floodplain development as defined in the General Plan. The closest structural improvements that could be affected by the proposed project include some scattered residential, industrial, and business buildings at Castaic Junction, located upstream or east of the project site. These structures are located more than 100 meters away from the northern 100-year floodplain limits of the Santa Clara River. The foundations of these structures are more than 3 meters (9.9 feet) higher than the 100-year water surface. In addition, the roadway embankment feature would not affect water surface elevations that would result in loss of life or property. Once constructed, a major storm event is not likely to cause substantial damage to the embankment because riprap will be installed to protect the slope. There is no adverse risk associated with implementation of this project; therefore, the project is considered a low-risk project. Additionally, submittal of a Flood Insurance Rate Map (FIRM) Revision to FEMA by the project sponsor would enable the project to be consistent with the Los Angeles County Watershed Management Program.

Erosion impacts will be avoided around the bridge by constructing a concrete soil bank along the riverbank just under the bridge and extending out on either side.

Concrete soil will be utilized along the banks of the floodplain that fall within the project boundaries. The purpose of the concrete soil is to use the natural soil in a concrete mixture that blends into the surrounding soil. This mixture is much stronger than the normal soil and will greatly diminish the potential erosion of the riverbank that may be caused by rising waters from a 100-year storm. The concrete soil will eliminate the potential for the riverbank to be greatly eroded.

### **3.10.3 Temporary Impacts**

#### **Construction Phase Impacts**

Construction activities associated with the proposed interchange project would impact portions of the Santa Clara River floodplain (relocation of the Commerce Center Drive/Henry Mayo Drive intersection, and reconfiguration of Henry Mayo Drive into the Santa Clara River floodplain). Approximately 3.79 hectares (9.37 acres) of the floodplain would be affected by components of the project. Riparian habitat around the project area falls both within and outside of the affected floodplain. Components of the project are anticipated to affect approximately 4.12 hectares (10.17 acres) of riparian habitat. Construction-related

impacts to the natural and beneficial floodplain values will be prevented through the use of BMPs and mitigated in the NRMP.

#### **3.10.4 Measures to Minimize Harm**

As discussed above, impacts to the natural and beneficial floodplain values resulting from the proposed project have been analyzed in the NRMP. Consequently, all necessary measures to minimize harm for impacts created by the project are included in the NRMP and are listed below.

Additionally, implementation of the NRMP would result in a gain of approximately 39.3 hectares (97 acres) of potential new riverbed because 39.3 hectares (97 acres) of uplands will be lowered to the elevation of the riverbed and used to create a new riverbed habitat for mitigation purposes. Hence, the NRMP could result in an overall net gain of 27.9 hectares (69 acres) of riverbed<sup>2</sup>.

##### **Permanent measures**

- a. Installation of structures shall not impair water flow. Bottoms of permanent culverts shall be placed below channel grade.
- b. If a stream channel has been altered, the low-flow channel shall be returned as nearly as practical to preproject topographic conditions.

##### **Construction measures**

- a. Construction activities shall be limited to the following areas of temporary disturbance: a 25.9-meter (85-foot) zone that extends into the river from the base of the riprap or gunite bank protection where it intercepts the river bottom, 6.09 meter (20-foot) wide temporary access ramps and roads to reach the construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the VRL that is submitted to the CDFG and USACE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the postconstruction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or substantial human intrusion shall occur outside the work area and access roads.

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<sup>2</sup> The Natural River Management Plan includes impacts and mitigation for eight new bridges, one replacement bridge, and six widened bridges, including the SR 126/Commerce Center Drive interchange project. The net gain in riverbed area discussed above results from the mitigation of impacts of all NRMP projects.

- b. Equipment shall not be operated in areas of ponding or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the USACE. Approval shall be acquired by submitting a request to CDFG and USACE no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site, or along access roads. This request may be included in the VRL that is submitted to the CDFG and USACE.
- c. Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) when the construction site contains flowing or ponded water that drains offsite into the undisturbed streamflow or ponds, as allowed for certain areas under Item (a) above or (2) when streamflow is diverted around the construction site, but the work is occurring in the period from November 1 through April 15 when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy river bottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to preconstruction grades and substrate conditions within 30 days after construction has ended at that particular site. The location and design of sediment retention ponds shall be included in the SWPPP prepared by the project applicant for all construction activities that require a NPDES General Construction Activity Storm Water Permit.
- d. Installation of structures shall not impair water flow. Bottoms of temporary culverts shall be placed at or below channel grade.
- e. Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1 through April 15.
- f. Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high-water mark before such flows occur.
- g. Staging/storage areas for construction equipment and materials shall be located outside the high-water mark.

- h. Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life.
- i. Stationary equipment such as motors, pumps, generators, and welders will not be located within the riverbed construction zone.
- j. The project applicant shall use best efforts to ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, the Santa Clara River or Castaic Creek. When construction operations are completed, any excess materials or debris shall be removed from the work area and properly disposed.
- k. No equipment maintenance or fueling shall be conducted within 15.2 meters (50 feet) of a watercourse.

With the implementation of these measures to minimize harm, impacts to the Santa Clara River floodplain would be reduced.

### 3.11 Coastal Zone

The federal Coastal Zone Management Act and the California Coastal Act (CCA), along with local coastal access and protection plans, recognize the importance of protecting coastal resources and provide the framework for the coastal zone impact analysis presented in this section. The coastal zone in the vicinity of a project area would extend approximately 0.9 km (1,000 yards) from the ocean.

The proposed project is not located in the coastal zone, but within the vicinity of the Santa Clara River, which originates in Soledad Canyon in the San Gabriel Mountains, approximately 49.9 kilometers (31.0 miles) east-southeast of the project site. The river drains an area of about 1,036 square kilometers (400 square miles) at its confluence with Castaic Creek. Within the project area, the river flows west, crossing I-5 south of the existing SR 126/ Commerce Center Drive intersection, to the coast where it drains into the Pacific Ocean near the City of San Buenaventura.

According to Section 3.1 – Hydrology, Water Quality, and Stormwater Runoff, the project area is not located within the coastal zone management program area; and no coastal barriers are located within the project area.

Since the proposed project is not located within the Coastal Zone, no impacts to the Coastal Zone would occur with project implementation.

### 3.12 Wild and Scenic Rivers

According to Section 3.1 – Hydrology, Water Quality, and Stormwater Runoff, the Santa Clara River is not a wild or scenic river, as designated by the National Wild and Scenic Rivers System (National Park Service, 1999).

A review of the most current list of Wild and Scenic Rivers by the National Park Service (NPS) reveals that portions of the following California rivers have been classified as wild and scenic:

American (lower)	Klamath
American (North Fork)	Merced
Big Sur	Sespe Creek
Eel	Sisquoc
Feather	Smith
Kern	Trinity
Kings	Tuolumne

The proposed project is not located in the vicinity of and does not involve any construction in, across, or adjacent to a river designated as a component of, or proposed for inclusion in, the National System of Wild and Scenic Rivers (NPS, 2002). No impacts to rivers designated as wild and scenic would occur as a result of implementing any of the project alternatives.

### 3.13 Land Use, Planning, and Growth

The proposed project is located in a fast-growing area within unincorporated Los Angeles County, in the northwest portion of the Santa Clarita Valley, northwest of the City of Santa Clarita. To the southeast of the SR 126/Commerce Center Drive interchange is the community of Valencia, within the City of Santa Clarita. Valencia is a master-planned community that is being developed in accordance with a plan that was designed in the early 1960s to create a unified urban environment on property owned by the Newhall Land and Farming Company.

### **3.13.1 Affected Environment**

#### **Existing Land Uses**

In general, current land use patterns within the proposed project area reflect a mixture of open space, urban, and rural use. The immediate project area has commercial and industrial properties, agriculture and recreational uses, and vacant land consisting of either undeveloped commercial and industrial areas, hills, or floodplains. There are no permanent residential properties within the proposed project area (see Figure 3.13-1).

The surrounding urbanized development supports a variety of commercial and industrial businesses within the Valencia Commerce Center, located north of the SR 126/Commerce Center Drive intersection. The Valencia Commerce Center is an ongoing, major expansion of the Valencia Industrial Center on approximately 581 hectares (1,436 acres). It includes 284 hectares (702 acres) of industrial park, with approximately 102 hectares (252 acres) of industrial space, 12 hectares (30 acres) of general commercial area, and 37 hectares (91 acres) of office park. The area also has plans for a 4.5-hectare (11-acre) recreational area, jogging trails, and an equestrian trail.

There are no public utilities or facilities within the project vicinity. A newly constructed Caltrans Maintenance Facility is located southeast of the SR 126/Commerce Center Drive intersection, east of The Old Road. No pedestrian or bicycle facilities are located within the area. A bike path is currently being researched for future build out that would run along the Santa Clara River. If approved this project will incorporate the bike path design.

#### **Proposed Developments**

There are no plans for new residential, commercial, or industrial developments within the immediate project area. However, the Valencia Commerce Center is currently developing planned expansions immediately north of the project area, as discussed in Section 2.3. The City of Santa Clarita is also developing plans for the North Valencia Annexation project. This project would involve the annexation of 347 hectares (858 acres) of land into the City of Santa Clarita and approval for a mixed residential, commercial, office, industrial, conservation, and recreation development project.

#### **Local and Regional Land Use Plans**

The proposed project is located within the jurisdiction of Los Angeles County. As such, the proposed project is subject to the General Plan policies and Zoning Ordinances of Los Angeles County. Policies of the General Plan are presented in the Santa Clarita Valley Area Plan, developed in 1984 and amended in 1990.

The Santa Clarita Valley Area Plan is a portion of the Los Angeles County General Plan, which provides a framework to guide decisionmakers in developing policies for the unincorporated areas of the Santa Clarita Valley. The following policies from the Santa Clarita Valley Area Plan are relevant to the proposed project.

***Land Use Element***

**Policy 9.4**—Encourage the development of a public transportation system to meet resident requirements for access to public and private services, employment, and activity centers consistent with demand.

***Economic Development Element***

**Policy 1.3**—Support infrastructure improvements in appropriate locations that contribute to development or expansion of employment-producing uses.

***Circulation Element***

**Policy 2.3**—Encourage the State of California to expand the access to the freeway system as needed to serve the area and to maximize freeway capacity.

The City of Santa Clarita has its own General Plan (1991), which provides guidance for the development of the City. The following policy from the City of Santa Clarita General Plan is also relevant to the proposed project.

***Land Use Element***

**Policy 7.1**—Ensure demand for public facilities and services does not exceed the ability to provide and maintain such facilities and services; necessary facility improvements should precede or be coordinated with future development.

**Consistency with Plans and Policies**

***County of Los Angeles General Plan***

Under the Build Alternative, the proposed interchange would be consistent with Policy 9.4 (Land Use Element), Policy 1.3 (Economic Development Element), and Policies 2.1 and 2.3 (Circulation Element). The proposed interchange would meet existing and future local residential needs by providing adequate roadway and intersection capacity to existing and planned employment centers (Valencia Commerce Center).

Scale in Feet

N1	NONURBAN 1	(0.5 DU/AC)
N2	NONURBAN 2	(1.0 DU/AC)
U1	URBAN 1	(1.1 TO 3.3 DU/AC)
U2	URBAN 2	(3.4 TO 6.6 DU/AC)
U3	URBAN 3	(6.7 TO 15.0 DU/AC)
U4	URBAN 4	(15.0 TO 40.0 DU/AC)
C	COMMERCIAL	
RR	RESORT RECREATIONAL	
M	INDUSTRY	
P	PUBLIC SERVICE FACILITIES	
HM	HILLSIDE MANAGEMENT	
S	SIGNIFICANT ECOLOGICAL AREAS	
W	FLOODWAY/FLOODPLAIN	

Source:

Santa Clarita Valley Area Plan.  
Department of Regional Planning,  
County of Los Angeles. February 1984.

**Figure 3.13-1  
Land Use Designations**

SR 126/Commerce Center Drive Interchange  
07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)





### **City of Santa Clarita General Plan**

Policy 7.1 states that "...necessary public facility improvements should precede or be coordinated with future development..." Construction of the Build Alternative is consistent with this policy in that it is tied with the future expansion of the Valencia Commerce Center, which is planned to be a 1.2-million-square-meter (12-million-square-foot) employment center at its buildout.

For the above reasons, the Build Alternative is consistent with local land use plans and policies.

### **3.13.2 Permanent Impacts**

#### **Compatibility with Existing Land Uses and Proposed Developments**

The proposed project would continue to be consistent with the existing land uses in the project area (a mixture of open space, urban, and rural uses). The project is within the existing SR 126 corridor, and will enhance the capacity of the existing SR 126/Commerce Center Drive at-grade intersection. The existing uses would not be impaired by the proximity of the proposed interchange, and are already well integrated with the transportation facilities in the area.

The proposed interchange would be compatible with the planned developments in the area; most likely with the Valencia Commerce Center and the Newhall Ranch land development. Without the proposed interchange, local as well as regional circulation, through the SR 126/Commerce Center Drive at-grade intersection, would be constrained due to high-forecast traffic volumes. With the proposed interchange, the existing and proposed land uses would be served as shown through improved traffic levels of service (see also Section 3.18, Traffic Transportation/Pedestrian and Bicycle Facilities).

Reconstruction and realignment of the eastbound SR-126 off-ramp and Travel Village Frontage Road will require the permanent acquisition of approximately 31 recreational vehicle campsites or spaces within Valencia Travel Village. Valencia Travel Village provides 379 campsites year-round, with daily, weekly, and monthly rentals, as well as phone internet, TV, group and handicap facilities, propane, and dump station. See Section 3.15 (Community Impacts).

### **3.13.3 Temporary Impacts**

Construction of the proposed interchange is expected to occur within the right-of-way boundaries of the existing Commerce Center Drive intersections of Hancock Lane (proposed), SR 126, and Henry Mayo Drive. Offsite staging areas are likely to be required;

and construction vehicles, equipment, and material would be transported between the staging areas and construction site. Because the majority of the project area is vacant, and because construction staging would be temporary, substantial compatibility impacts or direct property impacts are not anticipated.

#### **3.13.4 Measures to Minimize Harm**

No measures to minimize harm are required. See Section 3.15 (Community Impacts)

### **3.14 Farmlands/Agricultural Lands**

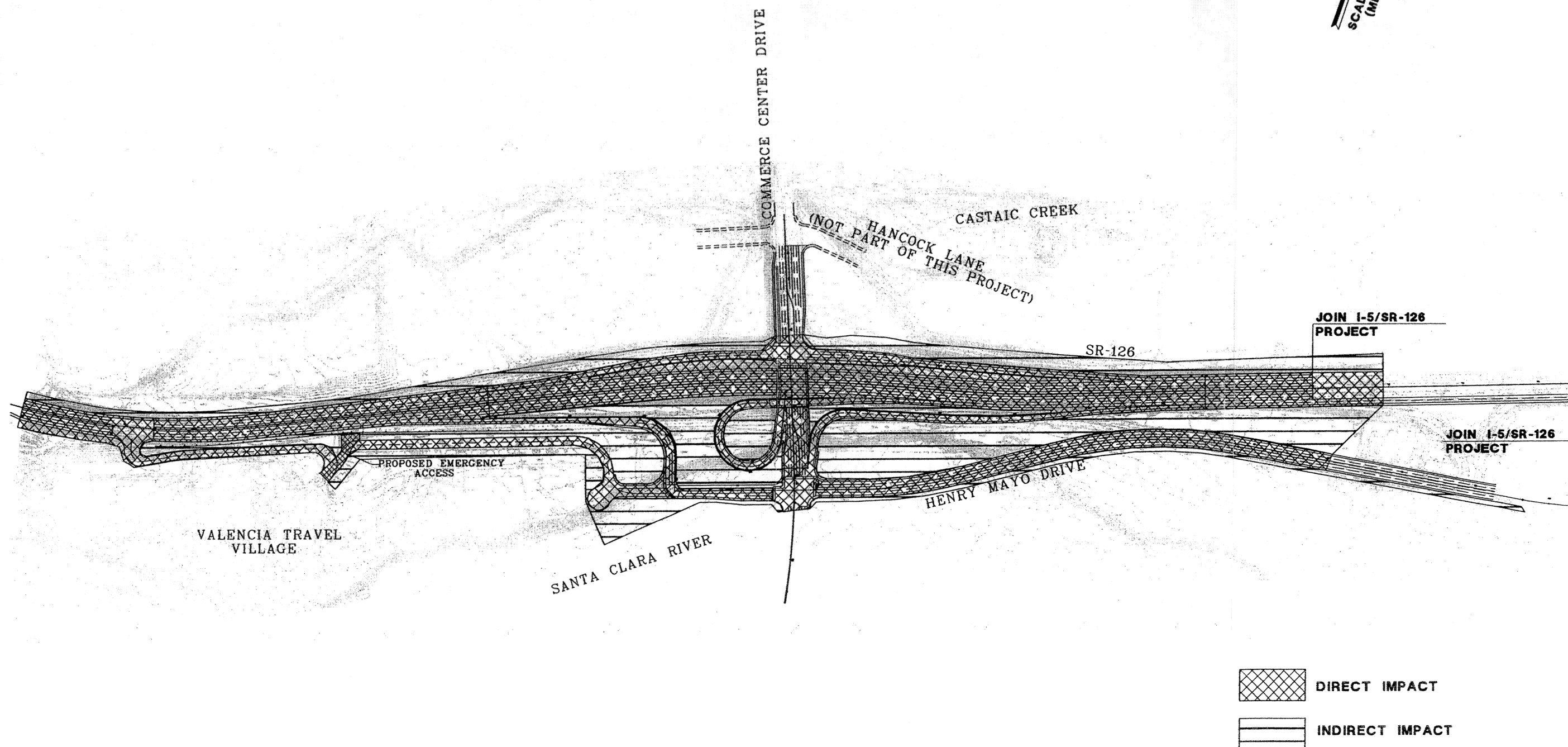
#### **3.14.1 Affected Environment**

Cultivated farmland, consisting of a variety of row crops, is located south of SR 126 and Henry Mayo Drive. Uncultivated land that contains soils suitable for farming is also located within the proposed project area. Both the cultivated and uncultivated land has been classified as prime and unique farmland and farmland of statewide importance by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), as required by the Farmland Protection Policy Act (FPPA) in 1981. The farmland areas are shown in Figure 3.14-1.

#### **3.14.2 Permanent Impacts**

Congress enacted the FPPA in 1981. It is intended to minimize the extent to which federal activities contribute to the conversion of agricultural land to nonagricultural uses. It also seeks to ensure that federal policies are administered in a manner that would be compatible with state, local, and private policies that protect farmland. The FPPA requires federal agencies to examine the impact of their programs before they approve any activity that would convert farmland.

To rate the relative impact of projects on sites subject to FPPA, federal agencies fill out a Farmland Conversion Impact Rating Form (Form AD-1006). The rating form is based on a Land Evaluation and Site Assessment (LESA) system, which is a numerical system that measures the quality of farmland. LESA systems have two components. The Land Evaluation element rates soil quality. The Site Assessment component measures other factors that affect the viability of a farm including, but not limited to, proximity to water and sewer lines and the size of the parcel. Sites receiving a combined score of less than 160 points do not require further evaluation. Alternatives should be proposed for sites with a combined score greater than 160. On the basis of this analysis, a federal agency may, but is not required to, deny assistance to private parties and state and local governments undertaking projects that would convert farmland.



Appendix D contains the Farmland Conversion Impact Rating Form for the proposed project. Active farmland is present both north and south of SR 126 and Henry Mayo Drive, west of The Old Road. This property has been zoned by Los Angeles County as Urban 4 (with 15.0 to 40.0 dwelling units per acre). The proposed project rated a combined score of 91 points on the Farmland Conversion Impact Rating Form. This score is below the threshold of 160; therefore, the acquisition of this farmland would not be considered a adverse impact. Additionally, according to the FPPA, farmland does not include those lands that a state or local government has designated, by planning or zoning, for commercial, industrial, or residential use. Therefore, the acquisition of prime farmland or farmland of statewide importance would not be adverse due to the zoning of the project site and the combined score of 91 on the Farmland Conversion Impact Rating Form.

#### **3.14.3 Temporary Impacts**

As discussed above, the acquisition of farmland within the project boundaries would not be considered a adverse impact; therefore, no temporary impacts would occur.

#### **3.14.4 Measures to Minimize Harm**

No measures to minimize harm are necessary because there are no adverse impacts to farmland.

### **3.15 Community Impacts (Social, Economic) and Environmental Justice**

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, signed on February 11, 1994, directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse human health or environmental effects of federal projects and programs on minority and low-income populations to the greatest extent practicable and permitted by law. The term “minority” includes persons who identify themselves as Black, Asian/Pacific Islander, Native American, or of Hispanic origin. The term “low-income” includes persons whose household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. A different threshold (e.g., U.S. Census Bureau poverty threshold) may be utilized as long as it is not selectively implemented and is inclusive of all persons at or below the HHS poverty guidelines. In addition, the proposed project's design will comply with the American Disabilities Act of 1990, by incorporating the conforming slope, grade, width, and ramp design elements into the project.

### **3.15.1 Affected Environment**

#### **Population**

Since incorporation, the nearby City of Santa Clarita has continued to grow at a relatively rapid rate. According to the U.S. Census Bureau, the City of Santa Clarita is currently home to about 131,000 residents; and it is expected to grow to over 188,000 by 2020, representing a 1.6 percent average annual growth rate.

The proposed project lies proximate to the northeastern boundary of Census Tract 9203.27 in Los Angeles County. Census Tract 9203.27 is bordered to the north by SR 126 and Tract 9201.06 (the Val Verde community), Potrero Canyon Road to the south and west, and I-5 to the east. According to statistics from the 2000 Census, the total population of Census Tract 9203.27 is 6,439 people.<sup>3</sup> Approximately 57 percent of the tract population lie within an urban area, while the remaining 43 percent lie within a rural/nonfarm area.

#### **Low-Income Populations**

Census 2000 family income data for Census Tract 9203.27 indicate that the median household income for Tract 9203.27 is \$99,575 annually. In the neighboring Val Verde area to the north (Tract 9201.06), the median household income is \$50,500 annually. According to Census 2000, the median household income for the entire county of Los Angeles is \$42,189 annually. Both the project Census Tract 9203.27 and neighboring Tract 9201.06 are above the median household income line. In addition, of the 2,100 samples in Tract 9203.27, approximately 13 percent of the samples in the tract are below the County median.

#### **Minority Populations**

Table 3.15-1 shows the breakdown of minority population data from the 2000 Census. The following race/ethnicity percentages for Census Tract 9203.27 are as follows.

As shown in the table, Census Tract 9203.27 has a predominantly White race/ethnicity (65.8 percent). The next two larger groups are Asian (14.2 percent) and Hispanic or Latino (11.8 percent).

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<sup>3</sup> U.S. Census Bureau, 2000.

**Table 3.15-1. Ethnic/Racial Distribution for Census Tract 9203.27**

Race/Ethnicity	Census Tract 9203.27	
	Persons	Percent of Total
Total Population	6,439	100.0
White	4,239	65.8
Black or African American	142	2.2
American Indian or Alaska Native	29	0.5
Asian	918	14.2
Native Hawaiian and other Pacific Islander	0	0.0
Some other race	56	0.9
Two or more races	296	4.6
Hispanic or Latino	759	11.8

Source: U.S. Census Bureau, 2000

### Housing

The rapid growth of the Santa Clarita Valley is expected to continue until current economic or housing conditions change. The valley is perceived as a very attractive place to live, and there is a strong housing market (Valencia Company, 1999). Growth in the number of housing units within the Santa Clarita Valley is supported by the goals of the Santa Clarita Area Plan and the City General Plan, which seek to create a balance of jobs and housing. At the present time, there is an imbalance of jobs and housing. The County Santa Clarita Area Plan includes approximately 4,047 hectares (10,000 acres) of proposed new development outside the City of Santa Clarita. This land is planned for single- and multiple-family residences, and specific areas are also planned for the needed industrial and commercial land uses (the 1.2-million-square meter [13.3-million-square-foot] Valencia Commerce Center).

### Employment

Although the Santa Clarita Valley is largely recognized as a suburban residential community, the City of Santa Clarita and surrounding development within the jurisdiction of Los Angeles County include a diversity of employment opportunities. The largest employers in the area include Six Flags Magic Mountain (3,000 employees), Henry Mayo Newhall Memorial Hospital (1,072 employees), and the William S. Hart Unified School District (650 employees). The local labor force of about 43,000 is employed in a range of occupations. The largest occupational types include professional/technical (20.2 percent of the labor force), management (17.2 percent), clerical (16.8 percent), and sales (14.3 percent).

The Valencia Commerce Center is located northeast of the I-5/SR 126 interchange. As discussed in Section 2.3, it is a major expansion of the Valencia Industrial Center and is forecast to grow from the existing 200,000 square meters (4.9 acres) to approximately 1.2 million square meters (297 acres) by the year 2020. This equates to a labor force of approximately 24,000 employees.<sup>4</sup>

### **3.15.2 Permanent Impacts**

The proposed project would not negatively affect local or regional employment, industry, or commerce, or require the displacement of businesses. It would, however, have a positive effect for local and regional businesses, which would benefit from improved traffic operations at the SR 126/Commerce Center Drive and Commerce Center Drive/Henry Mayo Drive interchanges. The proposed interchange would also accommodate planned growth within the Valencia Commerce Center. Impacts to the Valencia Travel Village resulting from the loss of direct access are discussed in Section 3.17.

The construction of a new grade-separated interchange at SR 126 and Commerce Center Drive would result in minimal changes in local access and circulation. The presence of this new interchange would facilitate efficient and safe access for existing and approved future land uses in the vicinity.

Additionally, access to the Valencia Travel Village would no longer be provided directly from SR 126; instead, traffic would enter via the Commerce Center Drive/Henry Mayo Drive intersection. The new route would maximize operation and increase safety; however, it may initially be unfamiliar to campers. Signage would be provided along SR 126 to redirect travelers, and to minimize potential confusion or traffic delays.

Reconstruction and realignment of the eastbound SR-126 off-ramp and Travel Village Frontage Road will require the permanent acquisition of approximately 15 recreational vehicle campsites or spaces within Valencia Travel Village. Valencia Travel Village provides 303 full and partial hook-up camping/recreational sites. Valencia Travel Village accommodates all lengths of recreational vehicles, and provides 238 sites with full hookups (water, electricity, sewer, phone, TV, etc.) 150 of which are pull-through sites. There are also approximately 800 storage spaces available to store larger vehicles and boats. The Travel Village has been in operation for over 30 years and has three swimming pools, laundry facilities, arcade room, store, recreational room, play-ground, phone, internet, TV,

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<sup>4</sup> The approximate labor force of 24,000 employees is based on trip rates converted from the Institute of Transportation Engineers, 1997.



group and handicap facilities, propane, and a dump station. The RV spaces are available to rent on a daily, weekly, and monthly basis. No vehicle is allowed to stay more than 90 days during any one visit.

## **Environmental justice**

### ***Low-Income Populations***

Based on review of data for Census Tract 9203.27 and neighboring Tract 9201.06, the median household incomes for both tracts are above the median household income for Los Angeles County. Therefore, the project area does not contain low-income population.

### ***Minority Populations***

According to Census data, Census Tract 9203.27 has a predominantly White race/ ethnicity (65.8 percent), while the next two larger groups are Asian (14.2 percent) and Hispanic or Latino (11.8 percent). Therefore, the project area is not a minority population area.

### **3.15.3 Temporary Impacts**

Construction activities would result in temporary, localized, site-specific disruptions to the population and housing in the proposed project area, primarily related to: construction-related traffic changes from trucks and equipment in the area; partial and/or complete street and lane closures, with some requiring detours; increased noise and vibration; lights and glare; and changes in air emissions. The traffic, air quality, and noise analyses for the proposed project alternatives provide additional detail on these types of temporary construction effects.

Because the project construction activities would be temporary in duration and would not be likely to have effects substantially different than the same types of nuisance-like effects associated with typical construction activities throughout Southern California, no adverse effects to the local population and housing are expected to result.

Economic impact for any one business was not required to be conducted as part of this type of environmental analysis. However, a more focused assessment for Schwartz Oil Company was conducted to address the comment. Based on a review of the current and future traffic patterns within the area, it is expected that the impacts to Schwartz Oil Company will generally be positive, as described below:

- Upon closure of the EB hook ramps, Schwartz Oil will lose indirect visibility for the approximately 40 to 60 vehicles that exit at the off ramp during the peak hour of the day.

- Approximately 150 vehicles using the EB on-ramp will be diverted to use the newly constructed on-ramp at Commerce Center Drive since most of these vehicles come from the east, there will be new trips passing by Schwartz Oil to get to the ramps at Commerce Center Drive.
- Similarly, approximately 250 peak hour (120 AM and 130 PM) trips using the WB SR-126 off ramp at Commerce Center Drive will turn left and use Henry Mayo Drive to get to their final destination and will pass directly in front of Schwartz Oil.
- Future traffic along Henry Mayo Drive is anticipated to shift from using the existing hook ramps to the newly proposed ramps located at Commerce Center Drive. As a result, it is anticipated that the daily drive by visibility of vehicles passing in front of Schwartz Oil will triple by the year 2025.

#### **3.15.4 Measures to Minimize Harm**

CI-1 For right-of-way and acquisition of the 15 recreational vehicle spaces impacts, relocation assistance payments and counseling will be provided to persons and businesses in accordance with the Federal Uniform Relocation Assistance and Real Properties acquisition Policies Act (as amended) and the California Government Code Chapter 16, Section 7260, et seq. (State Uniform Relocation Act) to ensure adequate relocation and a decent, safe, and sanitary home for displaced residents. All eligible displacees will be entitled to moving expenses, and all benefits and services will be provided equitable to all residential and business relocatees without regard to race, color, religion, age, national origins and disability as specified under Title VI of the Civil Rights Act of 1964.

### **3.16 Utilities/Emergency Services**

#### **3.16.1 Affected Environment**

The utilities within the project limits of the Build Alternative have been identified according to as-built plans and plans available from the County of Los Angeles. The utilities along SR 126 are mostly located on the south side of the road. Existing utilities include: 200-mm gas lines, an underground telephone line, a 200-mm oil line, and a 300-mm water line. In addition, SCE overhead power line crosses SR 126 west of the hook ramps at Henry Mayo Drive. Based on preliminary field observations, the overhead power line does not appear to be in conflict with the proposed improvements.

### **3.16.2 Permanent Impacts**

Implementation of the Build Alternative would not result in the need to relocate any existing utilities. Additionally, no emergency facilities (police, fire, or hospitals) would be directly affected.

### **3.16.3 Temporary Impacts**

Emergency services could experience temporary, short-term traffic delays during construction. Any road closures and detours would be advertised in advance and signed to minimize adverse impacts to both the travelling public and emergency service operators. A Traffic Management Plan (TMP) will be required that would minimize impacts to emergency services. Section 3.17, Traffic Transportation/Pedestrian and Bicycle Facilities, provides a description of the TMP. This impact would be a temporary and short-term impact.

### **3.16.4 Measures to Minimize Harm**

As discussed in Section 3.17, Traffic Transportation/Pedestrian and Bicycle Facilities, a TMP will be developed during the design phase of the project. The objective of the TMP is to mitigate the impact construction activities will have on freeway and roadway users (including emergency-service providers), and it may include the following strategies:

- Real-time communication with motorists, including changeable message signs and highway advisory radio announcements to alert motorists of upcoming construction impacts, detours, and travel conditions
- Provisions for tow-truck service during peak hours to remove stalled vehicles within the construction zone

Additionally, construction activities along SR 126 and at the SR 126/Commerce Center Drive intersection will be coordinated with other construction activities that will be taking place nearby at around the same time. The TMP will be closely coordinated with the City, the County, Newhall Land, and the public to ensure that traffic along SR 126 and the surrounding streets remains at an acceptable level of operation during construction.

## **3.17 Traffic Transportation/Pedestrian and Bicycle Facilities**

### **3.17.1 Affected Environment**

SR 126 extends westward from the I-5 interchange in Los Angeles County to U.S. 101 in Ventura County and is included in the State Freeway and Expressway System. The route is used heavily between I-5 and the Ventura Coast. East of the I-5/SR 126 interchange at the

I-5 northbound off-ramp, SR 126 will connect to Newhall Ranch Road as part of the ongoing Newhall Ranch Road construction project (completion date estimated at 2005).

As part of the completed (in 1999) SR 126 Widening and Improvement Project, SR 126 was realigned to the north to accommodate an ultimate grade-separated interchange at Commerce Center Drive. This realignment was necessary to minimize the impact to the environmentally sensitive areas of Castaic Creek to the north and Santa Clara River to the south of the SR 126/Commerce Center Drive intersection.

In early 2000, Commerce Center Drive was extended to the south from Franklin Avenue over Castaic Creek to form a signalized intersection with SR 126. As part of the same construction project, Commerce Center Drive was extended further south to intersect with Henry Mayo Drive. Henry Mayo Drive, a County arterial, was extended westerly to intersect with Commerce Center Drive to form a three-way-stop controlled intersection.

The existing hook ramps on SR 126, located east of Commerce Center Drive, provide access to the local streets and businesses south of SR 126. Access to Henry Mayo Drive is currently provided by the eastbound hook ramps from SR 126. These ramps will be removed as part of this project to eliminate the existing weaving conflicts and allow for better operation with the proposed improvements. Henry Mayo Drive will provide access to Valencia Travel Village, located in the southwest quadrant of the SR 126/Commerce Center Drive Interchange. Currently, access to Valencia Travel Village, a recreational vehicle camping area located south of SR 126, is provided directly from SR 126, which will be eliminated as part of the proposed improvements.

### **3.17.2 Permanent Impacts**

#### **No Build Alternative**

The population of the Santa Clarita Valley is expected to grow to approximately 500,000 people by 2020. The area will experience a considerable increase in traffic from regional and inter-regional growth projections, as well as buildout of local developments. Newhall Land has developed residential and commercial properties along the I-5 corridor near SR 126 during recent years, with additional development activities planned in the future.

The following project traffic analysis is based on a report prepared by Austin-Foust Associates, Inc. (AFA, 2003). Forecast traffic volumes for the No Build and Build Alternatives were extracted from the Santa Clarita Valley Consolidated Transportation Model (SCVCTM) and analyzed according to Caltrans-prescribed methodologies. The recent traffic model runs of the SCVCTM have been updated and approved by Caltrans and local

agencies (City of Santa Clarita and Counties of Los Angeles and Ventura), and include updated land use buildout statistics in the model study area and traffic volume consistency between the regional traffic forecasting models of Ventura and Los Angeles Counties.

The Valencia Commerce Center, a major commercial/industrial development located north of SR 126 (see Figure 3.17-1), is forecasted to grow from approximately 480,000 square meters (119 acres) today to approximately 1.3 million square meters (321 acres) by the year 2025. This will add approximately 50,000 trips per day, a majority of which will be served by SR 126 and the SR 126/Commerce Center Drive intersection.

The Newhall Ranch development project located southwest of the SR 126/Commerce Center Drive intersection proposes the construction of over 21,000 dwelling units and over 525,000 square meters (130 acres) designated for commercial and industrial use. These additional developments will add approximately 350,000 trips per day, with many of those using SR 126 and the SR 126/Commerce Center Drive intersection.

Proposed developments within the Santa Clarita Valley would also generate additional traffic on SR 126 and Commerce Center Drive. The developments within the Santa Clarita Valley, including the Valencia Commerce Center and Newhall Ranch development project, are expected to add approximately 540,000 trips per day to the area.

By the year 2025, the projected traffic within the study area will increase greatly. The year 2025 No Build forecasted traffic volumes are shown in Figure 2.2-1. These volumes assume the long-range arterial highway system (i.e., Commerce Center Drive extended south over the Santa Clara River to Magic Mountain Parkway) and assume an at-grade intersection at SR 126. In the P.M. peak hour, the volume on southbound Commerce Center Drive would increase from 778 vehicles to 2,168 vehicles; and the volume on eastbound SR 126 would increase from 1,123 vehicles to 3,537 vehicles. In general, the volume on the roadway network within the study area would triple over the next 20 years.

An ICU analysis was conducted for the SR 126/Commerce Center Drive interchange. The ICU values for the Commerce Center Drive intersections at future Hancock Street, SR 126, and Henry Mayo Drive have been calculated and are summarized in Table 3.17-3. As demonstrated by the ICU values of 1.31 (A.M.) and 1.40 (P.M.), the SR 126/Commerce Center Drive intersection cannot accommodate the forecasted growth. In addition, the forecasted peak-hour directional volumes on SR 126 between Commerce Center Drive and I-5 are nearly 4,000 vehicles, which exceed the capacity of the available two lanes. The existing roadway network cannot accommodate the buildout of the planned development based upon the forecasted traffic volumes.

This alternative does not satisfy the purpose and need of the project as described in Chapter 1. It would:

- Not provide capacity for forecasted traffic volumes
- Not improve local access and traffic circulation
- Decrease driver safety
- Increase fuel consumption and vehicle emissions
- Not incorporate planned infrastructure improvements consistent with local and regional planning efforts
- Not accommodate planned growth within the study area

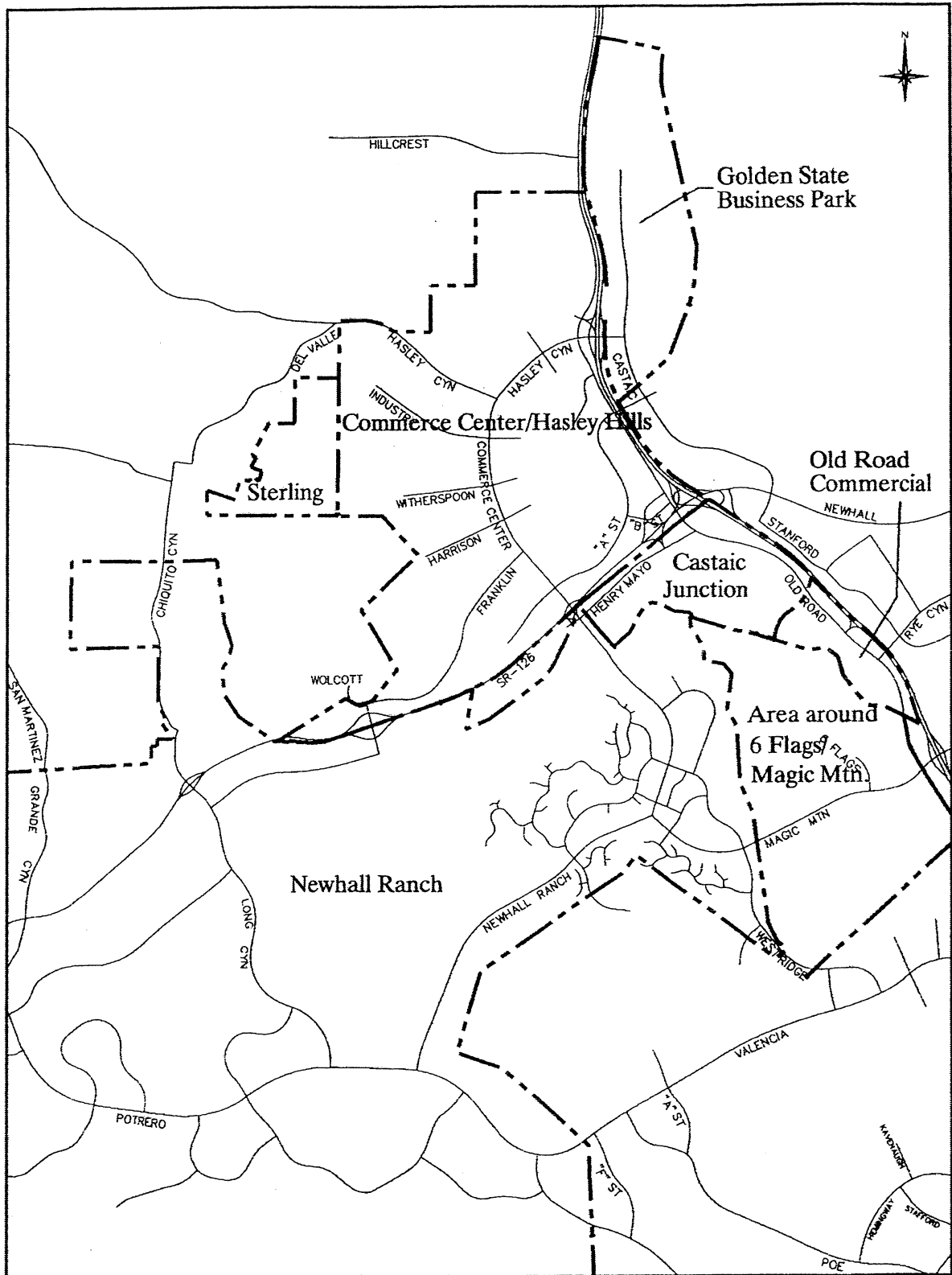
### Levels of Service

LOS is a qualitative indicator of the operating condition of an intersection as represented by traffic congestion, delay, and the v/c ratio. For signalized intersections, it is measured from LOS A (excellent conditions) to LOS F (very poor conditions), with LOS D (v/c of 0.90, fair conditions) typically considered to be the threshold of acceptability. The relationship between v/c ratio and LOS for signalized intersections is shown in Table 3.17-1.

**Table 3.17-1. Relation Between LOS and V/C Ratio**

V/C Ratio	LOS	Traffic Conditions
0 to 0.60	A	Little or no delay/congestion
>0.601 to 0.70	B	Slight congestion/delay
>0.701 to 0.80	C	Moderate delay/congestion
>0.801 to 0.90	D	Significant delay/congestion
>0.901 to 1.00	E	Extreme congestion/delay
1.00 +	F	Intersection failure/gridlock

For signalized intersections under the jurisdiction of the County of Los Angeles, LOS values were determined by using the ICU method. Stop-controlled intersections were analyzed using methodologies contained in the *Highway Capacity Manual* (HCM) in which LOS is based on average control delay (Transportation Research Board, 2000). The relationship between delay and LOS is presented in Table 3.17-2 for stop-controlled intersections (two-way and multi-way stops).



Source: Austin-Foust Associates, Inc., January 2003

**Figure 3.17-1**  
**SCVCTM Land Use Areas**  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)





**Table 3.17-2. Relation Between LOS and Average Control Delay**

Level of Service (LOS)	Average Control Delay (sec/vehicle)
A	0 – 10
B	> 10 – 15
C	> 15 – 25
D	> 25 – 35
E	> 35 – 50
F	> 50

**Build Alternative**

The Build Alternative for the SR 126/Commerce Center Drive intersection proposes a grade-separated interchange at the SR 126/Commerce Center Drive intersection and widening of SR 126. A new structure would be built over Commerce Center Drive to allow for uninterrupted flow on SR 126. The interchange would provide full movement for traffic from Commerce Center Drive and along SR 126.

Table 3.17-3 shows the LOS at the signalized intersections along Commerce Center Drive based upon the ICU analysis for the No Build and proposed project conditions. A lane capacity of 1,600 vehicles per hour per lane (vphpl) was used, except for the dual left-turn lanes at both Hancock Street and Henry Mayo Drive where 1,440 vphpl were used. With the construction of the Build Alternative, the improved SR 126/Commerce Center Drive interchange would be forecasted to operate at LOS D or better, an improvement from the forecasted No Build LOS F.

**Table 3.17-3. Intersection LOS Summary**

Location	2025 No Build				2025 Build Alternative			
	A.M.		P.M.		A.M.		P.M.	
	v/c	LOS	v/c	LOS	v/c	LOS	v/c	LOS
Commerce & SR 126	1.31	F	1.40	F	-	-	-	-
Commerce & SR 126 WB	-	-	-	-	0.83	D	0.65	B
Commerce & Henry Mayo	0.78	C	0.62	B	0.81	D	0.73	C
Commerce & Hancock St.	0.90	D	0.74	C	0.90	D	0.74	C

Source: Austin-Foust, 2003

SR 126 would be widened to four lanes in each direction, with auxiliary lanes as needed, to accommodate the increase in traffic. The 2025 peak-hour volumes for the Build Alternative would be 3,938 vehicles in the eastbound direction and 3,021 vehicles in the westbound direction. Figure 3.17-2 shows the 2025 peak-hour traffic volumes and lane configurations for the Build Alternative.

The proposed improvements would add the necessary capacity to accommodate the future buildout within the area. A comparison of the operational conditions of the Build and No Build Alternatives for the year 2025 indicates that the proposed improvements would alleviate several of the potential operational and safety problems identified in the analysis of the No Build Alternative.

The construction of a new grade-separated interchange at SR 126 and Commerce Center Drive would result in minimal changes in local access and circulation. The presence of this new interchange would facilitate efficient and safe access for existing and approved future land uses in the vicinity.

Additionally, access to the Valencia Travel Village would no longer be provided directly from SR 126; instead, traffic would enter via the Commerce Center Drive/Henry Mayo Drive intersection. The new route would maximize operation and increase safety; however, it may initially be unfamiliar to campers. Signage would be provided along SR 126 to redirect travelers and to minimize potential confusion or traffic delays. Any possible impacts to travelers from the proposed improvements are considered negligible. On a local and regional basis, there would be no additional traffic generated as a direct result of the project.

In summary, the proposed SR 126/Commerce Center Drive interchange improvements and the widening of SR 126 would satisfy the purpose and need of the project (Chapter 1) and would result in the following beneficial traffic and circulation effects:

- Availability of a full-service interchange that meets FHWA and Caltrans standards
- Increased capacity along SR 126
- Reduction of existing weaving conflicts
- Improved intersection LOS
- Enhanced safety

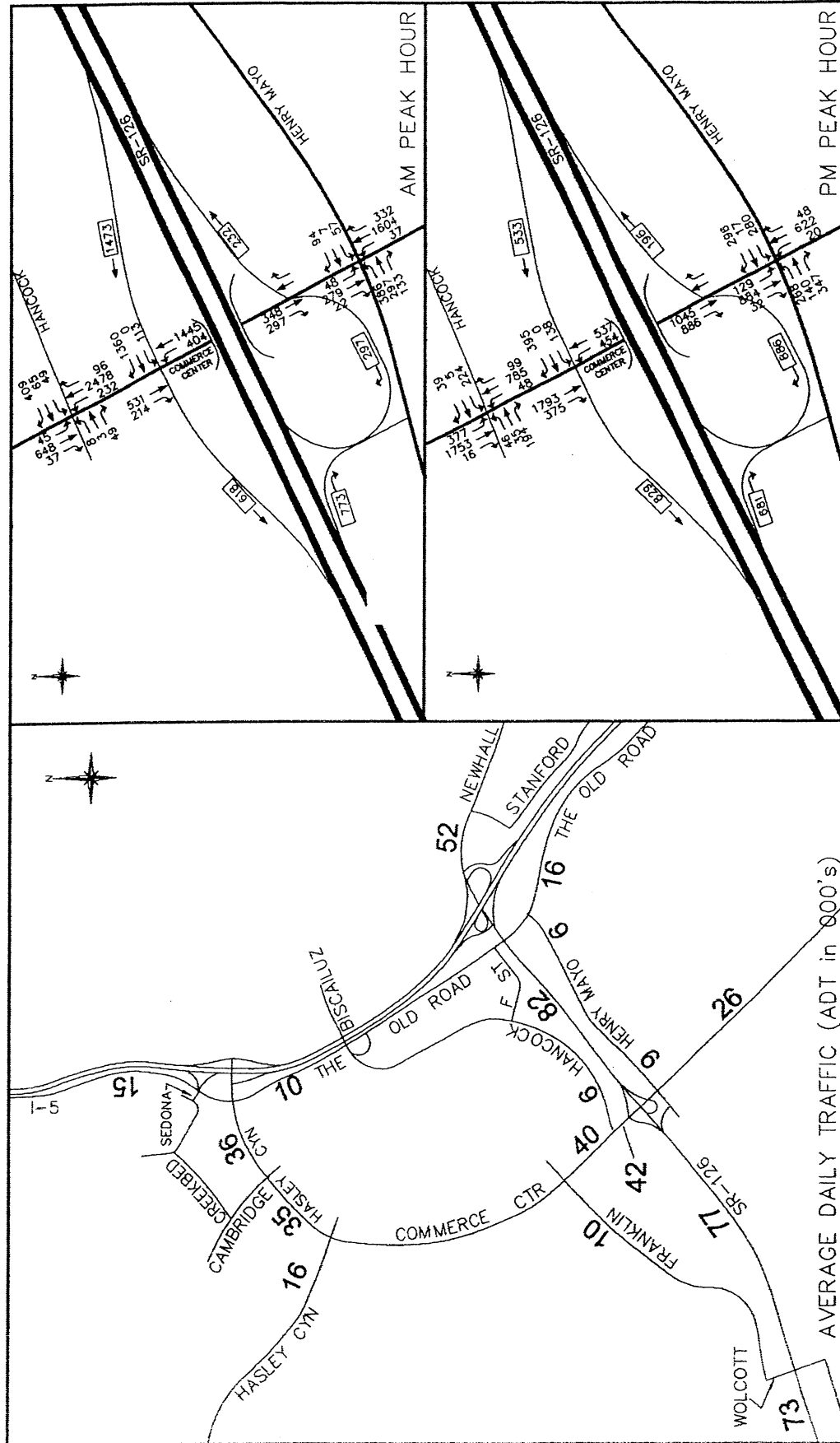


Figure 3.17-2  
 Year 2025 Preferred Alternative  
 Traffic Volumes  
 SR 126/Commerce Center Drive Interchange  
 07-LA-126 KP R6.8-R9.2 (PM R4.2-R5.7)

Source: Austin-Foust Associates, Inc., January 2003





### **3.17.3 Temporary Impacts**

During the construction phases of the Build Alternative, certain lanes and sections of SR 126, Commerce Center Drive, and Henry Mayo Drive may be temporarily closed to allow specific construction activities to occur. Lane closures and detour routes will be designed to minimize impacts on peak-hour traffic flow to mainline SR 126.

Bicycle traffic will also be temporarily affected during construction. Efforts will be made to minimize the inconvenience.

Access along Henry Mayo Drive is expected to be maintained throughout the entire construction process. Signs will be placed within the project area identifying that businesses are open during construction.

### **3.17.4 Measures to Minimize Harm**

To minimize traffic delays as a result of construction of the Build Alternative, a TMP will be developed during the design phase of the project for review and approval from Caltrans District 7.

The objective of the TMP is to mitigate the impact construction activities will have on freeway and roadway users, and it may include the following strategies:

- A public awareness campaign prior to and during construction
- Real-time communication with motorists, including changeable message signs and highway advisory radio announcements to alert motorists of upcoming construction impacts, detours, and travel conditions
- Promotion of ridesharing and public transit
- Identification of park-and-ride and other public transit modes to encourage use of ridesharing and public transit
- Provisions for tow-truck service during peak hours to remove stalled vehicles within the construction zone

The TMP divides the project into five stages, with sub-stages detailing traffic handling for short periods. All five stages maintains existing access, but may reduce capacity by shifting traffic to one side of the roadway or the other. Additional access will be provided to the Travel Village and a temporary westbound on/off ramp to Commerce Center Drive will be provided during construction to increase accessibility in the area.

Construction activities along SR 126 and at the SR 126/Commerce Center Drive intersection will be coordinated with other construction activities that will be taking place nearby at around the same time. The I-5/SR 126, Hasley Canyon Road and Magic Mountain Parkway interchanges, and the I-5 bridge of the Santa Clara River will also be under construction.

The TMP will be closely coordinated with the City, the County, Newhall Land, and the public to ensure that traffic along SR 126 and the surrounding streets remains at an acceptable level of operation during construction.

Additionally, bicycle traffic will benefit from planned bicycle lanes, included in designs for Commerce Center Drive and Henry Mayo Drive. These will be connected to existing and future lanes on either side of the interchange project.

### **3.18 Visual/Aesthetics**

#### **3.18.1 Affected Environment**

The Santa Clarita Valley consists of a mixture of undeveloped and developed landscapes. It is a rapidly growing region that has experienced considerable changes in land use over the past 10 years with the continual expansion of urban land usage. The valley has been transformed from a landscape dominated by croplands on the floodplain with undeveloped hills to a complex urban landscape with scattered open space.

The project area is bounded by low hillsides, which are the dominant visual features in the project area. The lands north of the Santa Clara River include a mixture of agricultural land along The Old Road, limited commercial development along Henry Mayo Drive, and recreational area (Valencia Travel Village). Undeveloped open space on steep hills occurs west of the Six Flags Magic Mountain Amusement Park and south of the river.

The riverbed is relatively wide, with steep banks and very dense woodland vegetation. There are noteworthy hills with native vegetation along the south side of the river that provide a scenic background. The developing Valencia Commerce Center along the north side of the river contrasts sharply with the natural landscape south of SR 126.

#### **3.18.2 Permanent Impacts**

From the driver's perspective along SR 126, the Build Alternative would not substantially change the scenic environment within the project area. The Santa Clara River represents an important visual feature; however, views of the river are often obscured because: (1) it is a low-lying element of the landscape; (2) the visual elements of the river are mostly low and

diffuse, such as barren sand and low-growing shrubs; (3) the viewing locations for the river and its tributaries are relatively limited; and (4) many portions of the river are adjacent to busy urban roadways where views are mostly obscured or unavailable because motorists' attention is directed to the roadway. Additionally, the interchange would not obstruct the view of any scenic vista, or create an aesthetically offensive site.

Public viewing locations of the Build Alternative include the Valencia Travel Village along SR 126 and the commercial properties north and south of SR 126. The project area is not within a visually sensitive setting due to the developing commercial area and restricted views of the Santa Clara River.

### **3.18.3 Temporary Impacts**

Construction of the Build Alternative would necessitate grading of the area and would also temporarily result in a disruption of the natural environment surrounding the SR 126/Commerce Center Drive interchange and Henry Mayo Drive. After construction of the project, the area would be revegetated, thereby minimizing the level of impact.

### **3.18.4 Measures to Minimize Harm**

No measures to minimize harm are necessary because there are no adverse project impacts.

## **3.19 Historical Resources**

### **3.19.1 Affected Environment**

A study to identify potentially historic properties in the Area of Potential Effects (APE) (Figure 3.19-1) of the project and to evaluate the eligibility of any identified properties for listing in the National Register of Historic Places (NRHP) was conducted in November 1999 and July 2002 (Greenwood & Associates, 2002). The Historic Property Survey Report (HPSR) (CH2M HILL, 2004e) prepared for the project indicates that no apparent historic resources exist in the project area. The HPSR is summarized below and herein incorporated by reference. The HPSR is based upon regulations for implementing Section 106 of the National Historic Preservation Act (36 CFR 800) as it applies to FHWA projects and cultural resources. It is used to identify all historic and cultural/archaeological resources that may be affected by a proposed undertaking, evaluate the eligibility of these resources for the NRHP, and apply criteria of Effect and Adverse Effect (36 CFR 800.9) to eligible properties that may be affected.

Archival research for the individual structures was conducted at the Los Angeles County Assessor's Office, the LACDPW, Building and Safety section (building permit records), and

local libraries. Interviews of local historians, building owners, and residents were conducted as well. None of the structures was found to be historically or architecturally important. A physical examination of the surface area did not indicate the presence of culturally sensitive resources, although these resources may be located in subsurface deposits within the project area.

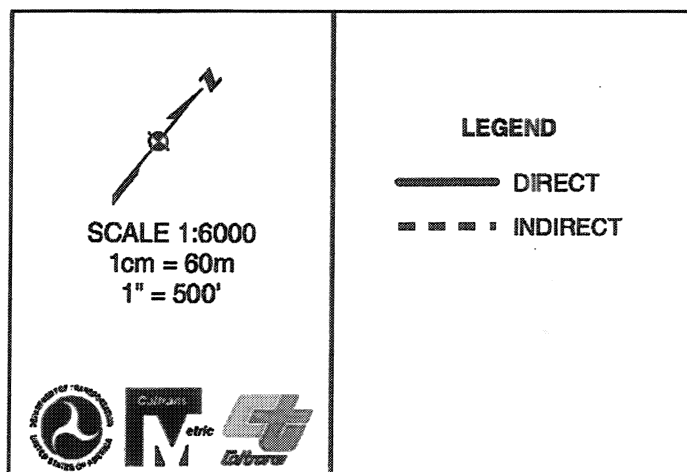
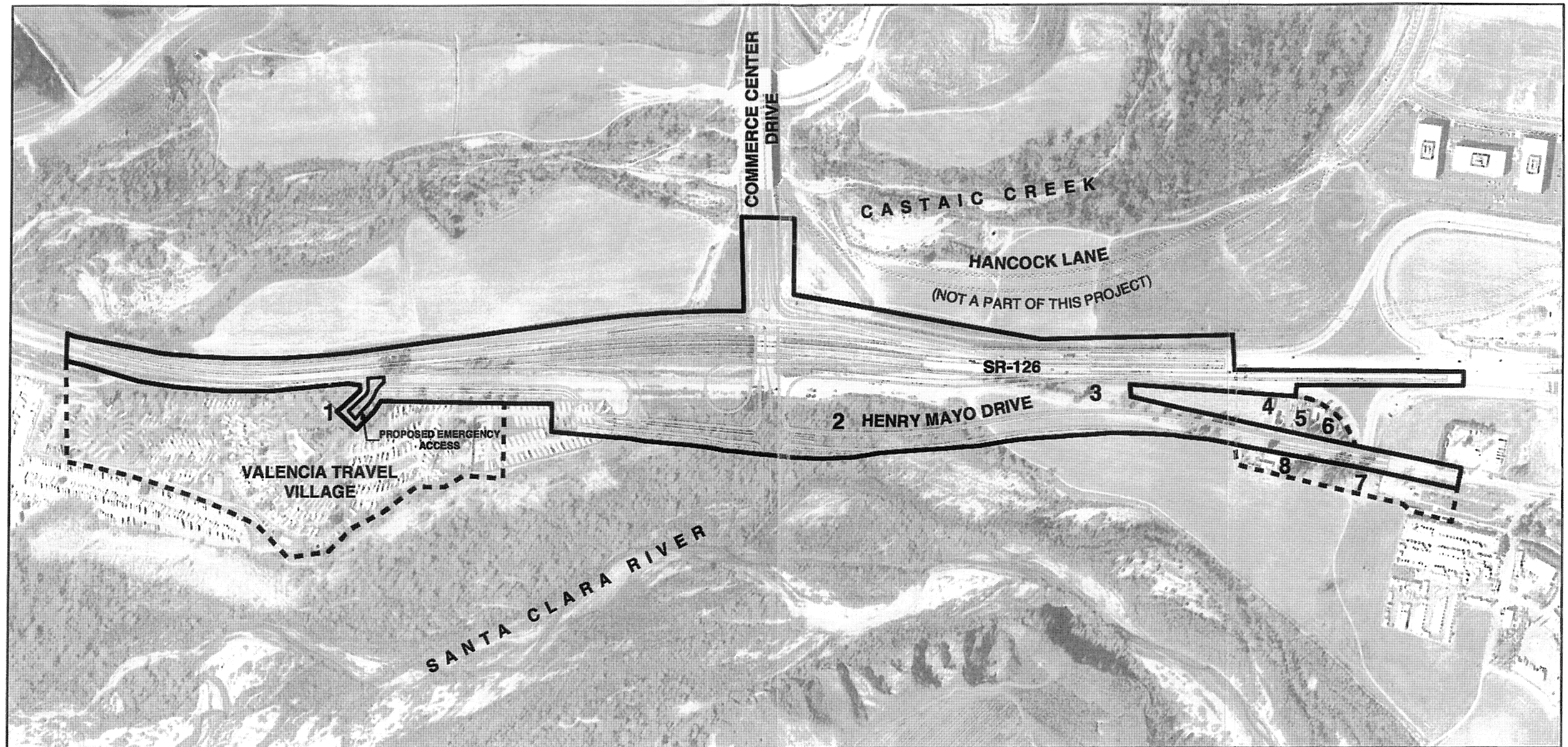
### **3.19.2 Permanent Impacts**

The HPSR, prepared to identify any impacts of the Build Alternative on archaeological or historical resources, indicates that no historic resources exist in the project area (CH2M HILL, 2004e).

An Historic Architectural Survey Report (HASR) was completed by an Architectural Historian from Greenwood & Associates in July 2002. The HASR, as included in the HPSR, is used to identify important historic and/or architectural resources within APE of the project and to evaluate these structures according to NRHP eligibility criteria. This report is based on Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800; the California Environmental Quality Act, Public Resources Code 5024, et seq.; and Governor's Executive Order W-26-92 as they apply to FHWA projects and cultural resources and is subject to review by the SHPO.

The HASR identified eight properties within the APE. Four of the properties predate 1957. None is currently listed in the NRHP. All four of the pre-1957 properties retain a substantial level of architectural integrity and were inventoried. These investigations concluded that none was eligible for inclusion in the State or National Registers. Of the four buildings and structures within the APE that postdate 1957, none is viewed as possessing the overriding qualities of design or historical association that would merit their addition to the State or National Registers. The properties have been treated in accordance with the provisions of the December 1989 "Memorandum of Understanding (MOU) Regarding Post-1945 Buildings, Moved Pre-1945 Buildings, and Altered Pre-1945 Buildings," updated in the interim Post-1945 guidelines of July 7, 1997, to include properties dating to 1950 (Between the FHWA and Caltrans).





**Figure 3.19-1**  
**Area of Potential Effect Map**  
**and Properties**  
SR-126 / Commerce Center Drive Interchange  
07-LA-126 KP R6.8 - R9.2 (PM R4.2 - R5.7)

All properties have been evaluated in accordance with Section 15064.5(a)(2)-(3) of the CEQA Guidelines, using the criteria outlined in Section 5024.1 of the California Public Resources code; and it has been determined that they are not historical resources for the purpose of CEQA. The Caltrans PQS determined that the document is accurate and appropriate in respect to the January 1, 2004 Programmatic agreement among the Federal Highway administration, the Advisory Council on Historic Preservation the California State Historic Preservation Officer and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act (106) Programmatic Agreement). A copy of the memo from the Caltrans PQS is located in Appendix A.

### **3.19.3 Temporary Impacts**

As discussed in Section 3.19.2, Permanent Impacts, the HASR prepared for the project determined that no historic resources exist in the project area. Therefore, there would be no temporary impacts to historic resources associated with the project.

### **3.19.4 Measures to Minimize Harm**

No measures to minimize harm are required.

## **3.20 Archaeological Resources**

### **3.20.1 Affected Environment**

A record search was undertaken in September 1999 by the South Central Coastal Information Center at the University of California, Los Angeles. A second search was undertaken in June 2002 by the South Central Coastal Information Center at California State University, Fullerton. The record searches revealed no previously recorded historic or prehistoric resources within a 1.6-kilometer (1-mile) radius of the project area (Figure 3 in HASR).

### **3.20.2 Permanent Impacts**

During a field survey conducted by Greenwood & Associates on September 20, 1999, no cultural resources were observed.

To further confirm that no cultural resources are located within the proposed project area, the staff of the Native American Heritage Commission were requested to provide the names and addresses of Native American individuals and/or organizations who they suggested might be able to provide further information regarding cultural resources in the proposed project area. Their names are provided below:

Ti'At Society

Cindi Alvitre (Gabrielino)

Kern Valley Indian Community	Owl Clan
Ron Wermuth (Tubatulabal, Kawaiisu, Koso, Yokut)	Dr. Kote & Lin A-Lul'Koy Lotah (Chumash)
Paul (Valenzuela) Varela (Chumash, Tataviam, Kitanemuk, Tongva, Serrano)	Samuel H. Dunlap (Gabrielino)
Gabrielino/Tongva Tribal Council	Melissa M. Para-Hernandez (Chumash, Yaqui)
Ernest P. Salas (Gabrielino/Tongva)	San Fernando Mission Indians
Island Gabrielino Group	Rudy Ortega (Gabrielino, Chumash, Tataviam, Yaqui)
John Jeffredo (Gabrielino)	Julie Lynn Tumamait (Chumash)
Robert F. Dorme (Gabrielino/Tongva)	Patrick Tumamait (Chumash)
Delia Dominguez (Yowlumne, Kitanemuk)	Dwayne Vigil (Chumash)
Diane Garcia Napoleone (Chumash)	Mark Steven Vigil (Chumash)
Jim Velasquez (Gabrielino)	Anwa Wilanii (Tataviam)
Charles Cook (Chumash, Gabrielino, Yokut, Kitanemuk)	Owl Clan
Beverly Salazar Folkes (Chumash, Tataviam, Fernandeno)	Qun-tan Shup (Chumash)
	Art Alvitre (Gabrielino)

These individuals and/or organizations were sent a letter notifying them of the proposed project and that they were being consulted to ensure that any areas of sacred or spiritual significance to Native American groups were considered during the planning process. A copy of this letter is included in Appendix A. To date, no detailed information regarding cultural resources or sacred sites within the project area has been received; therefore, the project would not impact any known cultural resources.

### **3.20.3 Temporary Impacts**

Although there appears to be no known archaeological resources in the project area, project-related construction activities may unearth cultural remains and/or artifacts.

### **3.20.4 Measures to Minimize Harm**

The project area is not considered as having a high potential for archaeological or other cultural resources therefore, no archeological or Native American monitor will be required on-site during any ground disturbing activities. If cultural materials appear during construction, work will stop in the immediate area. The Caltrans cultural resource staff will be notified upon such discovery, and appropriate measures will be performed to mitigate impacts to the resource. Contract specifications will identify procedures for encountering cultural resources, including human remains. Work may only resume with approval from the

Caltrans archaeologist. If human remains are exposed during construction, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition, pursuant to Public Resource Code 5097.98. Upon such discovery, the Caltrans Division of Environmental Planning shall be notified immediately. Prior to resuming work, the appropriate measures to minimize harm will be implemented and coordinated with through the Caltrans Division of Environmental Planning.

### **3.21 Unavoidable Adverse Impacts**

Based on the environmental analysis of the Build Alternative (above), no unavoidable adverse impacts to the study area environmental are anticipated to occur.



## **Chapter 4 Cumulative Impacts**

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### **4.1 Introduction**

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of this project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial impacts taking place over a period of time.

CEQA Guidelines, Section 15130 describes when a cumulative impact analysis is warranted and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts, under CEQA, can be found in Section 15355 of the CEQA Guidelines. A definition of cumulative impacts, under NEPA, can be found in 40 CFR, Section 1508.7 of the CEQ Regulations. Cumulative-impact analyses are typically difficult to thoroughly assess due to lack of definitive information on future development projects. This analysis uses the best available information to assess the potential cumulative and indirect impacts of the Build Alternative as it relates to the surrounding environmental resources.

### **4.2 Projects Contributing to Cumulative Impacts**

There are other related projects in the vicinity of the Build Alternative. These related projects, described in Chapter 2 of this document, are in varied degrees of planning, design, and construction. They include:

- Newhall Ranch
- Newhall Ranch Road Connection (Construction Concluded)
- I-5/SR 126 Interchange Project (Under Construction)
- I-5/Magic Mountain Parkway Interchange Project (Under Construction)
- I-5/Rye Canyon Road Ramp Improvement Project (Construction Completed)
- I-5/Valencia Boulevard Interchange Improvements (Construction Completed)
- I-5/Hasley Canyon Road Interchange Project (Construction to be Complete Next Year)
- Commerce Center Drive Bridge (Construction Completed)
- Santa Clara River Bridge (Under Construction)
- Valencia Commerce Center Expansion (Construction Completed)
- SR-126 Roadway Widening Los Angeles/Ventura County Line at P.M. 0.0 (K.P. 0.0) to west of Commerce Center Drive at P.M. 4.6 (K.P. 7.4) (Feasibility Study)



**Table 4.1-1 Cumulative Projects**

<b>Project</b>	<b>Description</b>	<b>Project Status</b>
Valencia Commerce Center	Newhall Land is developing 284.1 hectares (702 acres) north of the SR 126/Commerce Center Drive intersection as a major industrial, office, and supporting commercial-use center named Valencia Commerce Center. Approximately 40 percent (113 hectares, or 280 acres) of the area is being preserved as open space and hillside management area.	50 percent complete.
I-5/SR 126 Interchange	The existing I-5/SR 126 interchange, located northwest of the City of Santa Clarita in Los Angeles County, is currently being reconfigured and this work will be completed in early 2004. The interchange will be reconfigured to provide missing directional movements, improve traffic operations on the interchange, increase capacity, improve local access and circulation in the region and in the local area, enhance the safety of the interchange, and accommodate planned growth.	This project is under construction, to be completed by August 2005.
I-5/Magic Mountain Parkway Interchange	Phase 1 (under construction) will modify the I-5/Magic Mountain Parkway interchange. Phase 2 is planned to include the reconstruction of the I-5/Magic Mountain Parkway Interchange area and realignment of the Old Road at Magic Mountain Parkway, west of I-5. Phase 3 realigns and widens Magic Mountain Parkway east of I-5 to eight lanes from the I-5/SR 126 Interchange to the Fairway Shopping Center entrance. Magic Mountain Parkway will be restriped from six to eight lanes between the Fairway entrance and McBean Parkway.	This project is under construction, to be completed in 2005. Phase 2 of this project is in design.
Santa Clara River Bridge Replacement	The project will replace the existing northbound and southbound structures of the Santa Clara River Bridge with a single structure. The new structure will have four lanes in each direction	Construction of this project is in it's last stages of completion
I-5/Valencia Boulevard Interchange Improvements	This project widened Valencia Boulevard through the interchange with I-5; modified the ramp configuration, which improved the overall operation of the interchange; replaced the existing bridge; and constructed a new southbound direct on-ramp.	Construction of this project was completed in February 2002
Caltrans Newhall Maintenance Station	Caltrans constructed a new maintenance facility (Newhall Maintenance Station) between The Old Road and I-5, south of SR 126	Environmental clearance for this project was completed mid-2004.
I-5/Rye Canyon Road Feasibility Study	Relocation of the I-5/Rye Canyon Road hook ramps approximately 0.137 km (137 meters) to the north of their existing location (1.6 kilometers [1600 m] south of the I-5/SR 126 interchange)	Construction is planned to begin in later this year (2005).
I-5/Hasley Canyon Road Interchange Project	Improvements will include replacement of the bridge overpass, realignment and reconstruction of the existing ramps, and intersection approach widening.	Project is in design, and is scheduled for completion this year
SR-126 Roadway Widening; Los Angeles/Ventura County Line to west of Commerce Center Drive	This Feasibility Study Report discusses the proposed roadway improvements of a 4.6 mile (7.4 kilometer) segment of State Route 126 (SR-126). The improvements are needed to accommodate forecasted corridor growth and provide access to proposed Newhall Land commercial and residential developments along the highway.	Feasibility Study is currently underway.

As noted in Chapter 3, construction activities associated with the Build Alternative would result in some temporary, localized disruptions related to access and circulation; noise and vibration; air quality; and aesthetics. To the extent that other related projects in the area would be constructed during periods of time that overlap with construction of the Build Alternative, a short-term cumulative impact may arise. Because, however, the duration of any such cumulative impact would be temporary and because project-specific mitigation would be employed, cumulative impacts would not be considered adverse.

The following discussion of potential cumulative impacts is presented by environmental resource areas. No cumulative impact discussion is provided for coastal zone, wild and scenic river areas, and farmland, due to no anticipated build alternative impacts.

## **4.3 Cumulative Impacts**

### **4.3.1 Hydrology/Water Quality/Stormwater Runoff**

The proposed project would contribute to regional cumulative impacts due to siltation, and water quality from the following past, present, or reasonably foreseeable projects:

- Newhall Ranch Road Connection (siltation and water quality)
- I-5/SR 126 Interchange Project (siltation and water quality)
- I-5/Magic Mountain Parkway Interchange Project (siltation only)
- I-5/Rye Canyon Road Ramp Improvement Project (siltation only)
- I-5/Valencia Boulevard Interchange Improvements (siltation only)
- I-5/Hasley Canyon Road Interchange Project (siltation and water quality)

### **Siltation and Water Quality**

These regional cumulative impacts would result from the increased rate of erosion and/or siltation of exposed soils in waters downstream of the project site. Eroded soils would be transported in runoff and would settle out of the water downstream, increasing siltation. While suspended, these soil particles may prevent sunlight from reaching aquatic plants, clog fish gills, or choke other organisms. Other pollutants common in soils near highways such as heavy metals, oil and grease, fertilizers, and pesticides would adhere to these soil particles and would be transported downstream with them. These adsorbed pollutants would degrade water quality and would harm aquatic life by causing algal blooms, or interfering with photosynthesis, respiration, growth, and reproduction (EPA, 1995).



The proposed SR 126/Commerce Center Drive Interchange Project, as well as the above-listed projects (where noted), would cause siltation and water quality impacts. Additionally, each of these projects stated that BMPs would be implemented. These projects could, nonetheless, contribute to regional, cumulative siltation, and water quality impacts.

### **Stormwater Runoff**

In combination with the development of the cumulative projects listed above, the additional stormwater runoff contributed by the proposed project would have the potential to contribute to adverse cumulative stormwater runoff impacts. However, standard drainage design practices to minimize scour and sedimentation, and implementation of BMPs would avoid or minimize the stormwater runoff impacts for each project.

Siltation and water quality impacts from the proposed SR 126/Commerce Center Drive Interchange Project, as well as the above-listed projects, would not be adverse. Additionally, each of these projects stated that BMPs would be implemented and impacts fully mitigated. These projects could, nonetheless, contribute to regional, cumulative siltation and water quality impacts. However, the contribution of the SR 126/Commerce Center Drive Interchange Project to regional cumulative impacts is not expected to be substantial.

### **4.3.2 Hazardous Waste/Materials**

The primary types of hazardous material-related impacts attributable to the construction of the proposed interchange are from the handling of contaminated soil encountered during construction. Because any contaminated material encountered during the construction of the Build Alternative, or any of the others in the vicinity would be handled, transported, and disposed in accordance with all applicable laws, regulations, and agency oversight, cumulative adverse impacts are not anticipated.

### **4.3.3 Air Quality**

The proposed project is a grade separated interchange that would improve local access, traffic circulation, and vehicle speeds. The proposed project would eliminate the idling time for vehicles at the SR-126 / Commerce Center Drive intersection, as the local roadway traffic would be removed from the highway traffic and pass through the intersection without stopping. By the year 2025, SR-126 is predicted to carry 82,000 vehicle AADT. Assuming the Caltrans percent truck AADT (9.09%) for SR-126 in 2004 would be the same in 2025, there would be approximately 7,454 truck AADT in 2025 (Caltrans, 2005). The truck AADT includes 2-axle through 5-axle size trucks, therefore; the diesel truck AADT would be less than the estimated 7,454 truck AADT. The improvement to the SR-126 / Commerce Center Drive intersection would not be expected to result in an increase in the number of diesel truck

AADT as the proposed project is located in an area that is dominated by commercial (Valencia Commerce Center) and residential land uses (Newhall Ranch residential development) which would be primarily gasoline vehicles. The proposed project is anticipated to improve the existing level of service (LOS) from LOS F to acceptable levels of C and D. The improvements to the SR-126/Commerce Center Drive intersection would not consist of new bus, rail, or transfer points nor would it connect the highway to a major freight, bus, or intermodal terminal.

The Build Alternative, along with the other transportation improvement projects in the vicinity, are planned to accommodate the traffic demand associated with future development of the project area and would not generate additional traffic. The proposed SR-126/Commerce Center Drive Interchange Project is included in a conforming TIP and AQMP. The inclusion in a conforming TIP demonstrates this project has been cumulatively assessed along with all other projects listed in the TIP. Therefore, the contribution of the project to cumulative regional air quality impacts would not be consequential. As a result of congestion reduction that would result from this project, the project would have a beneficial impact on air quality and would not contribute to cumulative impacts.

The project level air quality analysis evaluated CO, PM<sub>2.5</sub>, and PM<sub>10</sub> localized impacts. The localized CO impact analysis included traffic volumes projected by Austin-Foust Associates for the year 2030. These traffic projections were derived from the SCVCTM using future land use and travel patterns that account for the cumulative growth of the project area. The proposed project is a grade separated interchange that would improve local access, traffic circulation and vehicle speeds. Furthermore, the project would eliminate the idling time for vehicles at the intersection, as the local roadway traffic would be removed from the highway traffic. The PM<sub>2.5</sub> analysis showed that this proposed project has been found to not be of air quality concern per 40 CFR 93.123(b)(1)(i)(ii) which identifies an intersection channelization project or interchange configuration that involves either turn lanes or slots, or lanes or movements that are physically separated. These kinds of projects improve freeway operations by smoothing traffic flow and vehicle speeds by improving weave and merge operation, which would not be expected to create or worsen PM<sub>2.5</sub> or PM<sub>10</sub> violations. In addition, the construction emissions would be less than the SCAQMD Significance Thresholds which were designed to prevent project-level and cumulative impacts. Therefore, it is concluded that localized cumulative impacts would not be consequential.

#### **4.3.4 Noise**

The operational noise impacts analysis is predicated on future traffic projections, and those future projections assume the other projects in the vicinity (see Chapter 2) to be in place and

functioning as planned. No additional cumulative impacts, therefore, are expected beyond those that already might be disclosed in the impact noise analysis and for which abatement has been proposed.

Based on the cumulative project impacts traffic noise levels for both the Build and No-Build conditions approach and exceed the 66-dBA criterion at all selected receiver locations within Valencia Travel Village. Increases in peak-hour traffic noise levels from existing to future No-Build condition are expected to be in the 3 to 6 dBA range. Under the future Build condition, peak-hour noise levels would increase by 4 to 9 dBA. Such increases are primarily due to considerable increases in peak-hour traffic volumes in the project area (more than three-fold increase in traffic by 2025), the fact that the proposed SR 126 alignment would place traffic closer to the Valencia Travel Village, and elimination of shielding by the berm on the east end of the project near the Commerce Center interchange.

#### **4.3.5 Energy**

For purposes of this environmental document, cumulative impacts to energy would occur if the selected interchange alternative, in conjunction with other related projects (see Chapter 2), collectively result in excessive and inefficient energy use. Development types of related projects in the project area would have a tendency to result in increased local energy consumption; whereas, the SR 126/Commerce Center Drive interchange project and other transportation-related projects are expected to result in improved or less energy consumption associated with improved traffic flow. In either case, cumulative energy consumption is not expected to be excessive or inefficient due to the relatively high cost of energy.

#### **4.3.6 Wetlands and Other Waters of the U.S.**

Cumulative impacts to waters of the U.S. or wetlands would occur if the selected interchange project, in conjunction with other related projects (see Chapter 2), collectively result in substantial impacts to these resource areas. The USACE, RWQCB, and CDFG will have to issue permits for the individual projects; and the permits could be conditioned. Issuance of the respective permits and associated conditions by the jurisdictional agencies would ensure that substantial cumulative impacts would not occur. Total project related construction impacts to jurisdictional wetlands is 4.12 hectares (10.17 acres). Implementation of measures to minimize harm and jurisdictional permit conditions would reduce impacts to less than adverse. Measures to minimize harm are included in Section 3.6.4.

#### **4.3.7 Vegetation**

The SR 126/Commerce Center Drive project is one of many infrastructure projects proposed for the project vicinity. The section of SR 126 west of the proposed project was recently

widened to accommodate higher traffic volumes in the region. The I-5/SR 126 interchange and the I-5/Hasley Canyon on- /off-ramps are also currently proposed for improvements to accommodate higher traffic volumes. The Commerce Center Bridge across Castaic Creek is currently under construction, and a bridge across the Santa Clara River is also planned. In addition to roadway improvements, a high volume of commercial and industrial projects is currently under construction or is proposed for development.

Future operation and maintenance activities may have the potential to result in temporary impacts in the project area; however, it is anticipated that these impacts would be minimized and mitigated consistent with the terms and conditions of the NRMP and other necessary project approvals. Specific allowances for the operation and maintenance of infrastructure include the provisions described below.

Upon completion of the bank protection, bridges, drain outlets, and grade stabilizers, Newhall Land will transfer these facilities to the LACDPW in unincorporated areas and to the City of Santa Clarita in the city limits. These public agencies will have responsibility for maintaining the facilities. Maintenance of bank protection, bridges, and storm drain outlets will involve periodic inspection to ensure that the structures are intact, and monitoring of vegetative growth at or near the structures to ensure that the integrity of the structures is intact and that necessary conveyance capacity is present. Vegetation will be removed when the design capacity has been reduced. The NRMP is designed so that the routine vegetation removal from the river will not be required in the project area, except near existing bridges and as necessary to protect the integrity of the exposed gunite or riprap and storm drain outlets. The maintenance elements of the 404 Permit and the 1601/1603 Agreement will be transferable to LACDPW and the City of Santa Clarita for their use. The maintenance program includes the following components:

- Periodic clearing of vegetation immediately upstream and downstream of certain existing bridges that were not designed in accordance with the NRMP
- Periodic removal of woody vegetation from riprap to protect its structural integrity
- Periodic clearing of storm drain outlets to ensure proper drainage
- Periodic removal of ponded water that causes odor problems
- As-needed repairs of bridges
- As-needed repairs of bank protection
- As-needed clearing of vegetation from water quality filters and wetlands

All maintenance activities will be subject to the notification procedures and mitigation measures described in the 404 Permit and the 1601/1603 Agreement.

Emergency maintenance, repairs, or reconstruction are not included in the NRMP. These activities will be carried out by LACDPW and the City of Santa Clarita in accordance with the USACE and CDFG emergency approval processes (as they are amended over time).

These impacts would be reduced with the implementation of NRMP mitigation measures provided in Section 7.0, and are considered necessary components of this project to conform with the terms and conditions of the NRMP.

The NRMP analyzed impacts that would result from the proposed development of the Newhall Land and similar projects from the present to the year 2018. Impacts on vegetation resources of the Santa Clara River and its tributaries were found to be less than adverse with the incorporation of appropriate mitigation measures. Because the SR 126/Commerce Center Drive interchange project would be consistent with the projects considered under the NRMP with the incorporation of appropriate measures to minimize harm provided below, in Section 7.0, there would be no cumulative impacts resulting from the proposed project.

#### **4.3.8 Wildlife**

Cumulative impacts to additional species may occur if project implementation occurs concurrently with other projects in the immediate vicinity. Indirect noise impacts from concurrent multiple projects may discourage breeding of the tricolored blackbird in suitable habitat along the Santa Clara River. Implementation of measures to minimize harm are included in Section 3.8.5 and will mitigate direct, indirect and cumulative biological impacts to a level that is less than adverse.

#### **4.3.9 Special-Status Species**

The NRMP analyzed impacts that would result from the proposed development of the Valencia Company (now Newhall Land) and similar projects from present to the year 2018. Impacts on special-status species of the Santa Clara River and its tributaries were found to be acceptable with the incorporation of appropriate measures to minimize harm by the Army Corp of Engineers and the United States Fish and Wildlife Service. Impacts to the Special-Status Species resulting from development of the SR 126/Commerce Center Drive interchange are part of the impacts in the NRMP; therefore, all measures to minimize harm are included in the NRMP and listed in Section 3.9.4.

Construction of the Santa Clara River Bridge (Commerce Center Drive over Santa Clara River) is anticipated to occur in 2008. To avoid cumulative impacts to the Santa Clara River, the proposed project is anticipated to be constructed and in operation before the construction of the bridge over the Santa Clara River.

Direct and indirect impacts to most special-status species have been addressed above. However, an additional species may incur cumulative impacts if project implementation occurs concurrently with other projects in the immediate vicinity. Indirect noise impacts from multiple projects may discourage breeding of the tri-colored blackbird in suitable habitat along the Santa Clara River. Future operation and maintenance activities may have the potential to result in temporary impacts in the project area. However, it is anticipated that these impacts would be minimized; and measures to minimize harm will be consistent with the terms and conditions of the NRMP and other necessary project approvals. These impacts would be reduced with the implementation of NRMP measures to minimize harm mentioned below, and are considered necessary components of this project to conform with the terms and conditions of the NRMP.

A single sighting of the tricolored blackbird took place during an initial project area survey. This species has a high likelihood to forage in the area and a moderate likelihood of nesting within the study area. Potential cumulative indirect noise impacts to this species may discourage breeding of the tricolored blackbird in suitable habitat along the Santa Clara River. However, to minimize this potential impact, a qualified biologist shall conduct a survey 30 days prior to construction activities in all riparian areas to determine if any tricolored blackbirds are present at the site, and the status of nesting. If no nesting is occurring, construction work can proceed. If nesting is occurring, construction work shall be delayed until fledglings have left the nest. If a riparian or wetland habitat used by blackbirds for nesting is to be removed, it shall be replaced following the procedures listed in Section 3.9.4.

#### **4.3.10 Floodplains**

Impacts to the natural and beneficial floodplain values of the Santa Clara River are part of the impacts in the NRMP; therefore, all measures to minimize harm are included in the NRMP and listed in Section 3.10.4. Cumulative impacts to the Santa Clara River floodplain resulting from both the I-5/Valencia Boulevard Interchange Improvements Project and the I-5/Santa Clara River Bridge Replacement Project would not be substantial. In fact, the Location Hydraulic Study for the I-5/Santa Clara River Bridge Replacement Project determined that it was a "Low Risk Project." These projects would, nonetheless, contribute

to regional, cumulative losses of floodplain acreage. However, these projects would not raise the elevation of the (100-year) base flood.

#### **4.3.11 Land Use**

Although the Valencia Travel Village already coexists with the adjacent SR 126, the incremental effects of the project must be considered within the context of the effects of other past, past present, and reasonably foreseeable transportation-related changes in the area. One of the primary objectives of the Build Alternative is to accommodate planned growth within the study area. The planned development projects in the immediate area as described in Chapter 2 (i.e., Valencia Commerce Center and Newhall Ranch) will introduce substantial new construction activities throughout the area, as well as an increased level of growth and traffic into the future. It is very probable that land development would continue with or without the Build Alternative and other similar transportation improvements. It should also be noted that the Build Alternative would improve an existing transportation corridor. Thus, no adverse cumulative land use impacts are anticipated.

#### **4.3.12 Community Impacts**

Construction of the proposed project would occur concurrently with other ongoing and planned projects in the vicinity. The Build Alternative would not generate long-term additional employment, income, or housing opportunities in the region. The Build Alternative would only create additional jobs in the area during construction. All the related projects planned for the project area, are consistent with land use policies and designations of the County of Los Angeles and City of Santa Clarita General Plans. Planned development in the project vicinity, and in conjunction with the Build Alternative, would not result in adverse cumulative community impacts. Thus, no adverse cumulative land use impacts are anticipated.

#### **4.3.13 Utilities/Emergency Services**

The Build Alternative would not require utility relocations in the immediate project vicinity and the extended area. However, some disruption to service may occur during construction. Cumulative impacts are expected to be negligible because service disruptions would be minimal and because excavation activities must coordinate with local services to minimize accidental service disruptions.

Construction of the proposed interchange would result in a reduction of solid waste municipal landfill capacity. However, this capacity reduction is not expected to be substantial because the wastestreams of construction and demolition debris are usually segregated and recycled to take advantage of differential disposal fees. Municipal landfill

fees are generally on the higher end of the scale; consequently, construction and demolition wastes are taken to municipal solid waste landfills when they cannot be recycled.

The Build Alternative, in conjunction with other transportation-related projects (see Chapter 2, Alternatives), would result in an improved transportation system that is expected to enhance capacity along SR 126 at Commerce Center Drive. During construction of the Build Alternative, in conjunction with other related projects, there could be delays to emergency-response providers related to multiple construction projects occurring concurrently. Although project coordination with police and fire stations is required so that alternative routes can be planned, alternative routes may still increase response times.

#### **4.3.14 Traffic Transportation/Pedestrian and Bicycle Facilities**

The operation of the proposed SR 126/Commerce Center Drive Interchange Project, as well as the above-listed projects, would result in cumulative impacts to traffic and circulation within the Santa Clarita Valley. These impacts would result from either the generation of additional traffic within the area (e.g., Valencia Commerce Center Expansion and Commerce Center Drive Extension and Bridge over Castaic Creek), or from short-term lane closures and traffic detours (e.g., other listed projects). For all projects listed, impacts resulting from lane closures or traffic detours would be mitigated through the use of appropriate staging to avoid long duration closures; development of TMPs; cooperation among Caltrans, City of Santa Clarita, and Los Angeles County staff; and implementation of signage programs. Despite these measures to minimize harm, these projects would, nonetheless, contribute to regional, cumulative traffic, and circulation impacts. However, the contribution of the SR 126/Commerce Center Drive Interchange Project to regional cumulative impacts including the City of Santa Clarita and the unincorporated surrounding areas is not expected to be adverse. Additionally, the SR 126/Commerce Center Drive Interchange Project would not generate additional traffic.

#### **4.3.15 Visual/Aesthetics**

Overall, the visual effect of the construction of the Build Alternative and other roadway projects in the vicinity (i.e., I-5/SR 126 and I-5/Hasley Canyon Road interchanges) would be temporary in nature and would not have an adverse cumulative effect. The project area is not within a visually sensitive setting due to the developing commercial area and restricted views of the Santa Clara River. Therefore, the development of the Build Alternative will have no adverse cumulative impacts to visual resources.



#### **4.3.16 Cultural Resources**

As previously discussed, there are no known archaeological or cultural resources in the project area. However, construction of the preferred interchange alignment, in conjunction with other related projects (i.e., I-5/SR 126 and I-5/Hasley Canyon Road interchange projects), could encounter important archaeological resources. In the event that human remains and/or artifacts are found during the construction of the project, the site will be protected until it can be evaluated by a qualified archaeologist.

#### **4.4 Measures to Minimize Harm**

Cumulative impacts resulting from this project being constructed in conjunction with the other nearby projects will be mitigated through the development of a Construction Management Plan by Caltrans, which prevents overlapping of relevant projects in the same region. Construction activities along SR 126 and at the SR 126/Commerce Center Drive intersection will be coordinated with other construction activities that will be taking place nearby at around the same time to prevent overlapping construction schedules. The I-5/SR 126, Hasley Canyon Road and Magic Mountain Parkway interchanges, and the I-5/bridge of the Santa Clara River will also be under construction.

- All projects and maintenance activities that have been identified in the NRMP will be subject to the notification procedures and environmental mitigation measures described in the 404 Permit and 1601/1603 Agreement. More specific measures to minimize harm are identified in Chapter 3 of this IS/EA for each environmental concern analyzed. These measures address both temporary as well as permanent impacts.

# **Chapter 5**      California Environmental Quality Act Evaluation

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## **5.1 CEQA Environmental Checklist**

The following checklist identifies physical, biological, social, and economic factors that might be affected by the Locally Preferred Alternative (Build Alternative) and is a requirement under CEQA. The CEQA impact levels include potentially significant impact, less-than-significant impact with mitigation, less-than-significant impact, and no impact. Please refer to the following for detailed discussions regarding impacts:

CEQA:

- Guidance: Title 14, Chapter 3, California Code of Regulations, Sections 15000 et seq. ([http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines/))
- Statutes: Division 13, California Public Resource Code, Sections 21000-21178.1 ([http://www.ceres.ca.gov/topic/env\\_law/ceqa/stat/](http://www.ceres.ca.gov/topic/env_law/ceqa/stat/))

CEQA requires that environmental documents determine significant or potentially significant impacts. In many cases, background studies performed in connection with the project indicate no impacts. A “no impact” reflects this determination. Any needed discussion is included in the section following the checklist.

Chapter 3 – Affected Environment, Environmental Consequences, and Mitigation Measures contains the detailed environmental analysis for each environmental topic under NEPA and CEQA. Where appropriate, specific sections of Chapter 3 will be referenced for the environmental analysis of a certain environmental topic. This chapter will provide the CEQA findings and discussions.

Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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**AESTHETICS** - Would the project:

a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**AGRICULTURE RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**AIR QUALITY** - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Expose sensitive receptors to substantial pollutant concentration?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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#### **BIOLOGICAL RESOURCES - Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less-than- significant impact with mitigation	Less-than- significant impact	No impact
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f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**COMMUNITY RESOURCES** - Would the project:

a) Cause disruption of orderly planned development?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Be inconsistent with a Coastal Zone Management Plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Affect life-styles, or neighborhood character or stability?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Affect employment, industry, or commerce, or require the displacement of businesses or farms?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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g) Affect property values or the local tax base?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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h) Affect any community facilities (including medical, educational, scientific, or religious institutions), ceremonial sites or sacred shrines?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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i) Result in alterations to waterborne, rail, or air traffic?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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j) Support large commercial or residential development?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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k) Affect wild or scenic rivers or natural landmarks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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l) Result in substantial impacts associated with construction activities (e.g., noise, dust, temporary drainage, traffic detours, and temporary access, etc.)?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**CULTURAL RESOURCES** - Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**GEOLOGY AND SOILS - Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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## HAZARDS AND HAZARDOUS MATERIALS -

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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## HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or offsite?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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j) Inundation by seiche, tsunami, or mudflow?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### LAND USE AND PLANNING - Would the project:

a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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b) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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#### MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### NOISE - Would the project:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### PUBLIC SERVICES -

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### RECREATION -

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### TRANSPORTATION/TRAFFIC - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incomplete uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### UTILITY AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less-than-significant impact with mitigation	Less-than-significant impact	No impact
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g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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#### MANDATORY FINDINGS OF SIGNIFICANCE -

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### SECTION 4(f) RESOURCES - Does the project:

a) Result in the use of any publicly owned land from a park, recreation area, or wildlife and waterfowl refuge, as defined by section 4(f) (23 CFR 771.135)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Affect a significant archaeological or historic site, structure, object, or building, as defined by section 4(f) (23 CFR 771.135)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Involve "constructive use," as defined by section 4(f) (23 CFR 771.135)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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## 5.2 Discussion of CEQA Checklist Responses

### ***Aesthetics***

**a); b); and c) *Less-than-significant impact:*** The interchange would not obstruct the view of any scenic vista, or create an aesthetically offensive site. Public viewing locations of the Build Alternative include the Valencia Travel Village along SR 126 and the commercial properties north and south of SR 126. The project area is not within a visually sensitive setting due to the developing commercial area and restricted views of the Santa Clara River.

The Santa Clara River represents an important visual feature; however, views of the river are often obscured because: (1) it is a low-lying element of the landscape; (2) the visual elements of the river are mostly low and diffuse, such as barren sand and low-growing shrubs; (3) the viewing locations for the river and its tributaries are relatively limited; and (4) many portions of the river are adjacent to busy urban roadways where views are mostly obscured or unavailable because motorists' attention is directed to the roadway.

Construction of the Build Alternative would necessitate grading of the area and would also temporarily result in a disruption of the natural environment surrounding the SR 126/Commerce Center Drive interchange and Henry Mayo Drive. After construction of the project, the area would be revegetated, thereby minimizing the level of impact. The grading would not be considered a significant project impact because of the temporary nature of the disruption and the low scenic value of the urban interchange.

**d) *Less-than-significant impact:*** The project is the improvement of an existing freeway facility; the construction of an at-grade intersection to a grade-separated interchange. While additional facility lighting and pavement surfaces, that may induce glare, would comprise the project, these additional amounts would be considered insignificant because the project site is an existing lit and paved intersection.

### ***Agricultural Resources***

**a) and c) *Less-than-significant impact:*** Active farmland is present both north and south of SR 126 and Henry Mayo Drive, west of The Old Road. This property has been zoned by Los Angeles County as Urban 4 (with 15.0 to 40.0 dwelling units per acre). The proposed project rated a combined score of 91 points on the Farmland Conversion Impact Rating Form. This score is below the threshold of 160; therefore, the acquisition of this farmland would not be considered a significant impact. Additionally, according to the Farmland FPPA, farmland does not include those lands that a state or local government has designated, by planning or zoning, for commercial, industrial, or residential use. Therefore,

the acquisition of prime farmland or farmland of statewide importance would not be significant.

**b) No impact:** Construction and operation of the Build Alternative within existing Caltrans ROW would not conflict with existing agricultural zoning. The project site and surrounding areas are not under a Williamson Act contract.

### **Air Quality**

**a) Less-than-significant impact:** The proposed SR 126/Commerce Center Drive interchange project has been included in the 2004 RTIP. The proposed project is fully funded and is in the 2004 Regional Transportation Plan which was found to conform by SCAG April 1, 2004 and FHWA and FTA adopted the air quality conformity finding on June 4, 2004. The project is also included in the SCAG financially constrained 2004 Regional Transportation Improvement Program (Amendments 1-15), page 5 State Highway Projects. The SCAG Regional Transportation Improvement Program was found to conform by FHWA and FTA on October 4, 2004. The design concept and scope of the proposed project is consistent with the project description in the 2004 RTP, the 2004 RTIP and the assumptions in the SCAG'S regional emissions analysis. Therefore, inclusion of this project in a conforming RTIP indicates the project would not cause a significant regional impact. Projects are subject to conformity requirements for PM<sub>10</sub> if they are located in a PM<sub>10</sub> nonattainment or maintenance area (federal standards). At the regional scale, this project is included in the RTIP. The RTIP air quality analysis must show that the transportation system will not increase PM<sub>10</sub> emissions overall. Therefore, inclusion of this project in a conforming RTIP indicates the project would not cause a significant regional PM<sub>10</sub> impact.

**b) Less-than-significant impact:** The pollutant of primary concern when assessing localized impacts of transportation projects is CO. High CO concentrations tend to accumulate near areas of heavy traffic congestion where average vehicle speeds are low. Localized impacts are assessed by estimating maximum ambient CO concentrations near the roadways affected by the project. The concentrations are compared to the national and California Ambient Air Quality Standards (CAAQS) for CO. The impact of a project is considered to be adverse if the project creates a new CO violation or exacerbates an existing violation.

In general, the proposed project would improve traffic flow and increase average vehicle speeds through the interchange relative to the no project condition. Therefore, the project is generally expected to have a beneficial impact on localized air quality. However, the completion of this project would move traffic closer to a receptor site. For this reason, a CO analysis was performed to determine if the proposed Build Alternative would cause localized violations of the standards for CO. Localized CO impacts were evaluated using the

Transportation Project-Level Carbon Monoxide Protocol written by the Institute of Traffic Studies at the University of California, Davis, (Garza, et al., 1997). Although the methodology outlined in the UC Davis protocol was followed, quantification of CO impacts from affected intersections was completed using the emission model EMFAC2002 (version 2.2) and the dispersion model CAL3QHC (version 2.0). SCAG endorses the use of the protocol to assess project-level impacts. Project impacts have been assessed through relevant methodologies and significance criteria per the SCAQMD CEQA Air Quality Handbook (SCAQMD, 1993).

Table 5.2-1 presents the peak 1-hour and 8-hour CO concentrations predicted near the intersection of Commerce Center Drive and Henry Mayo Drive under build-out conditions (2030). The conservative screening analysis predicts a maximum 1-hour CO concentration of 5.5 ppm, which is well below the national standard of 35 ppm and the state standard of 20 ppm. The conservative screening analysis predicts a maximum 8-hour concentration of 4.9 ppm, which is below the national and state standard of 9 ppm.

**Table 5.2-1. Maximum CO Concentrations with the Build Alternative, 2030**

Intersection	Maximum 1-hour CO Concentration (ppm)	Maximum 8-Hour CO Concentration (ppm)
Commerce Center Drive/Henry Mayo	5.5	4.9

Notes:

Concentrations include a future (2030) 1-hour background concentration of 5.1 ppm and an 8-hour background concentration of 4.6 ppm (SCAQMD, 2005).

The NAAQS for CO are 35 ppm (1-hour) and 9 ppm (8-hour).

The CAAQS for CO are 20 ppm (1-hour) and 9 ppm (8-hour).

Source: CH2M HILL, 2003d.

The proposed project would not contribute to any new CO violations or cause an increase in any existing violations. Therefore, the localized air quality impacts would be less than significant, and the project-level conformity requirements are satisfied.

At the local scale, qualitative PM<sub>2.5</sub> and PM<sub>10</sub> analyses are required for this project because the proposed site is located in a federal nonattainment zone for PM<sub>2.5</sub> and PM<sub>10</sub>. To show project-level conformity for PM<sub>10</sub>, the analysis must show that no new local PM<sub>2.5</sub> or PM<sub>10</sub> violations of the federal 24-hour standard will be created and the severity or number of existing violations will not be increased as a result of the project. Although this site is also located in a state nonattainment zone for PM<sub>2.5</sub> and PM<sub>10</sub>, a guidance document for assessing the contribution of individual traffic projects to local violations of the state 24-hour standards

does not exist at this time, nor would a local PM or PM<sub>10</sub> analysis be required at the state level to show project-level conformity. Therefore, potential local PM<sub>2.5</sub> and PM<sub>10</sub> impacts were only assessed against the federal level in this document, as summarized in Chapter 3. PM<sub>2.5</sub> and PM<sub>10</sub> were shown to demonstrate project-level conformity in Chapter 3; therefore, this project would be unlikely to cause or contribute to a violation of the NAAQS for PM<sub>2.5</sub> or PM<sub>10</sub>. Consequently, no mitigation measures for operational impacts are necessary.

**c) Less-than-significant impact:** The proposed project is planned to accommodate the traffic demand associated with future development of the project area and would not generate additional traffic. Therefore, the contribution of the project to cumulative regional air quality impacts would not be consequential.

The project-level air quality analysis evaluated local CO, PM<sub>2.5</sub>, and PM<sub>10</sub> impacts. The localized CO impacts analysis included traffic volumes projected by Austin-Foust Associates for the year 2030. These traffic projections were derived from the SCVCTM using future land use and travel patterns that account for the cumulative growth of the project area. In addition, the construction emissions would be less than the SCAQMD Significance Thresholds which were designed to prevent project-level and cumulative impacts. Therefore, it is concluded that localized cumulative impacts would not be consequential.

**d) and e): Less-than-significant impact:** As discussed in the Air Quality Report, emissions from construction of the proposed project would be less than the SCAQMD significance thresholds (CH2M HILL, 2006). In addition, the project-level CO, PM<sub>2.5</sub>, and PM<sub>10</sub> hotspot analyses demonstrated project-level conformity. Therefore, substantial pollutant concentrations are not expected during construction or operation of the proposed project.

### **Biological Resources**

**a), d), e), and f) Less-than-significant impact with mitigation:** In an effort to streamline the 404/1603 permitting process for the Santa Clara River and San Francisquito Creek, the USACE, CDFG, and Newhall Land prepared a plan that would address cumulative impacts on these drainages for the next 20 years; the NRMP. This plan was written to develop standard mitigation measures for all work that would occur in these drainages. Any project that is consistent with the mitigation measures in the NRMP, such as the proposed project, can operate under the 404/1603 permit issued to Newhall Land.

An NES was prepared by Bon Terra Consulting for the proposed project. A copy of the current NES is on file at Newhall Land. The following is a summary of the impacts to special-status biological resources.



### ***Impacts***

**Plants.** The focused plant survey located one population of Peirson's morning glory that consisted of approximately 38 plants on a berm, between Henry Mayo Parkway and SR 126. No other special-status species were observed during the focused survey. Impacts to special-status plants observed on the site are limited to the Peirson's morning glory. The potential loss of a small population of Peirson's morning glory would be considered potentially adverse, but not significant. No other impacts to special-status plants are anticipated because none were observed during either general or focused surveys performed onsite.

**Wildlife.** The project would result in the loss of habitat for several special-status wildlife species expected to occur in the study area, but were otherwise not observed during focused surveys due to their secretive nature or limited distribution. For those species not observed but expected to occur, potential impacts were evaluated for the habitat in which the species is expected to occupy.

### ***Invertebrates***

The Quino checkerspot is not expected to occur in the study area. Therefore, project implementation would not result in any impacts on the Quino checkerspot.

### ***Fish***

The Santa Ana sucker, unarmored threespine stickleback, arroyo chub, and steelhead trout occur in the Santa Clara River, with the stickleback and chub known to occur between I-5 and the Santa Clara River confluence with Castaic Creek. Recent observations of Santa Ana sucker or steelhead trout have not been recorded within the project area. Because the proposed project would impact only one bank on the upper terrace of the Santa Clara River, no impact to potentially occupied habitat is anticipated; and direct impacts on these fish are expected. However, indirect impacts may have adverse and potentially significant impacts on the Santa Ana sucker, unarmored threespine stickleback, arroyo chub, and steelhead trout.

### ***Amphibians***

The study area provides potentially suitable habitat for the arroyo toad. The study area also provides potentially suitable habitat for the western spadefoot. The proposed project would impact 2.27 hectares (5.62 acres) of potential estivating habitat for the arroyo toad and western spadefoot. This impact would be considered adverse and potentially significant if individuals or reproduction of these species are harmed.

The California red-legged frog is not expected to occur in the study area. Therefore, project implementation would not result in any impacts on the California red-legged frog.

### *Reptiles*

Special-status reptile species potentially occurring in the study area include the silvery legless lizard, western pond turtle, coastal western whiptail, San Bernardino ringneck snake, coastal rosy boa, coast horned lizard, coast patch nose snake, and the two-striped garter snake. The coastal western whiptail, coast horned lizard, coastal rosy boa, and coast patch nose snake occur primarily in upland habitats. Because the proposed project would not impact any native upland habitat, project implementation would not result in significant impacts on the coastal western whiptail, coast horned lizard, coast patch nose snake, and the coastal rosy boa.

The silvery legless lizard, western pond turtle, San Bernardino ringneck snake, and two-striped garter snake may use the riparian habitats on the site. The proposed project would impact approximately 2.27 hectares (5.62 acres) of riparian habitat for these species. None of these species are listed as Threatened or Endangered by state or federal resource agencies; however, the western pond turtle and two-striped garter snake meet the criteria in Section 15380 of CEQA. Therefore, impacts on these species would be considered significant. The silvery legless lizard and San Bernardino ringneck snake do not meet the criteria in Section 15380; therefore, impacts on these species would be considered adverse, though less than significant.

### *Birds*

A variety of bird species that are considered special status, but not listed as Threatened or Endangered by state or federal resources agencies, occurs or potentially occurs in the study area. These species include the tricolored blackbird, Southern California rufous-crowned sparrow, Bell's sage sparrow, western yellow warbler, California horned lark, yellow-breasted chat, loggerhead shrike, and summer tanager. The southern California rufous-crowned sparrow and Bell's sage sparrow primarily occur in upland habitats not present in the study area. Therefore, project implementation is not expected to result in adverse impacts on these species. The proposed project has the potential to result in a loss of 8.32 hectares (20.55 acres) of disturbed/ruderal and agricultural land that would be used by the tricolored blackbird, California horned lark, and loggerhead shrike. The proposed project would result in the loss of 2.27 hectares (5.62 acres) of riparian habitat for the summer tanager, tricolored blackbird, western yellow warbler, and yellow-breasted chat. Due to the low status of these species, and the abundance of similar habitat nearby, impacts on these species would be considered adverse, but less than significant.

The western yellow-billed cuckoo, southwestern willow flycatcher, coastal California gnatcatcher, and least Bell's vireo are listed as either Threatened or Endangered by state and

federal resource agencies. The coastal California gnatcatcher occurs in upland habitat not present in the study area. Therefore, project implementation would not result in impacts on this species. The proposed project would impact approximately 2.27 hectares (5.62 acres) of riparian vegetation types that provide limited suitable habitat for the western yellow-billed cuckoo, southwestern willow flycatcher, and least Bell's vireo. None of these species were known to nest in the Santa Clara River during the 1999 breeding season. However, the southwestern willow flycatcher is known to have nested in the Santa Clara River in 1995, while the least Bell's vireo is known to have nested there in 1998. The least Bell's vireo and willow flycatcher (including other subspecies) have been observed in the Santa Clara River and considered to be migrants in both 1998 and 1999 (Guthrie, 1995; 1998; 1999). The proposed project would result in the loss of potential habitat for these species. In addition, noise from construction could discourage or disrupt nesting by these species in the vicinity. These impacts on the least Bell's vireo and southwestern willow flycatcher would be considered significant. The western yellow-billed cuckoo is thought to have been extirpated as a breeding species in the Santa Clara River, but individuals judged to be migrants have been observed in or near the study area in recent years (Guthrie, 1998). Impacts to migrant birds would not be considered adverse. However, should the western yellow-billed cuckoo establish nests within the immediate project area prior to the implementation of project construction, then impacts on nesting western yellow-billed cuckoo would be considered adverse and potentially significant.

The proposed project would result in the loss of suitable foraging and/or nesting habitat for a variety of raptor species including the Cooper's hawk, sharp-shinned hawk, golden eagle, long-eared owl, ferruginous hawk, Swainson's hawk, northern harrier, white-tailed kite, merlin, prairie falcon, and burrowing owl. Of these species, the Swainson's hawk is state Threatened; and the golden eagle and white-tailed kite are considered Fully Protected species by CDFG. The loss of foraging habitat for all of these species except the Swainson's hawk, golden eagle, and white-tailed kite would cumulatively contribute to the ongoing regional and local loss of foraging habitat for these species. This would be considered a potentially adverse, but not significant, impact because a relatively substantial amount of similar foraging habitat is available in the region. These impacts to the Swainson's hawk, golden eagle, and white-tailed kite would be considered adverse and potentially significant.

The Cooper's hawk, long-eared owl, northern harrier, white-tailed kite, and burrowing owl, in addition to common raptor species, have potential to nest in the study area. The burrowing owl is considered to meet the criteria in Section 15380 in CEQA. Therefore, any impacts on the burrowing owl would be considered significant. Should an active raptor nest (of any raptor species) be found onsite, the loss of the nest would be considered a violation of the

California Fish and Game Code 3505.5. The loss of any active raptor nest occurring on the site would be considered significant.

### ***Mammals***

Special-status mammal species potentially present in the study area include the pallid bat, pale Townsend's big-eared bat, spotted bat, California mastiff bat, San Diego black-tailed jackrabbit, small-footed myotis, Yuma myotis, southern grasshopper mouse, and American badger. The California leaf nosed bat and San Diego desert woodrat are not expected to occur in the study area; therefore, project implementation would not result in any impacts on these species. The proposed project would result in the loss of upland habitat for the San Diego black-tailed jackrabbit, southern grasshopper mouse, and American badger. Due to the low status of these species, and the limited amount of habitat loss relative to the availability of similar habitat nearby, impacts on these species would be considered adverse, but not significant.

The proposed project would impact foraging habitat for the six bat species identified above. The loss of foraging habitat for these species would cumulatively contribute to the ongoing regional and local loss of foraging habitat for these species. This is considered an adverse, though not significant, impact because similar foraging habitat is available nearby. The pallid bat and the small-footed myotis also have potential to roost in the study area. However, due to the low status of these species, and the limited amount of habitat loss relative to the availability of similar habitat nearby, impacts on roosting habitat for these species would be considered adverse, but not significant.

### ***Mitigation Measures***

The proposed project will be required to be consistent with the NRMP. As a result, the impacts to biological resources discussed above would be mitigated to a level of insignificance with the implementation of mitigation measures outlined in the NRMP. The specific language of the NRMP mitigation measures noted in this Initial Study can be found in the NES technical document (Bon Terra, 2004), or in Section 3.9 of the Environmental Assessment (EA) for this project.

### ***Special-Status Plant Species***

The proposed project has the potential to significantly impact a small population (<40 individuals) of the CNPS List 4 plant Peirson's morning glory. Necessary mitigation would occur consistent with NRMP BIO-4 or NRMP BIO-5, as appropriate.

### *Special-Status Wildlife Species*

The proposed project would result in potential direct impacts on several special-status wildlife species that may occur within the Fremont cottonwood riparian forest and adjacent watercourse of the proposed project. These species include the unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. Mitigation measure NRMP BIO-2 Sensitive Aquatic Species Avoidance During Construction would mitigate impacts to a level of insignificance.

The proposed project would result in potential direct impacts to the least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. These potential impacts are considered less than significant after implementation of the following mitigation measure: NRMP BIO-3 Sensitive Bird Species Avoidance During Construction.

The proposed project has the potential to significantly affect burrowing owls, should they occur within the impact area of the proposed project. The following mitigation measure would reduce these potential impacts to a level of less than significant: NRMP BIO-20 Protection for the Burrowing Owl.

The proposed project has the potential to impact active raptor nests. The following measure will reduce these impacts to a level of less than significant: NRMP BIO-22 Protection for Nesting Raptors.

The proposed project has the potential to indirectly impact several aquatic wildlife species including the unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. These potential indirect impacts could be reduced to a level of less than significant through the implementation of the following mitigation measure: NRMP BIO-1 Aquatic Habitat and Water Quality Measures During Construction. In addition, potential lighting impacts to adjacent habitat areas may be reduced through shielding, directional lighting, or other applicable methods, as much as practicable and consistent with federal, state, and local transportation health and safety mandates for roadway operation.

The proposed project would result in potentially significant cumulative impacts on the tri-colored blackbird. These impacts would be reduced to less than significant after the implementation of the following measure: NRMP BIO-21 Protection for Tri-Colored Blackbirds.

***b) Less-than-significant impact with mitigation:*** A total of 3.79 hectares (9.36 acres) of native vegetation types consisting of Fremont cottonwood riparian forest will be impacted by

construction of the proposed project. A total of 0.33 hectare (0.81-acre) of riparian herb/braided wash will be affected by the proposed project. Impacts on this vegetation type are considered adverse and potentially significant because of its high biological value and its special status with state and federal resource agencies. However, impacts would be considered less than significant after implementation of the following mitigation measure: NRMP BIO-5 Riparian Habitat Mitigation Program.

The Arundo removal program will be operated through Newhall Land. Newhall Land will be responsible for monitoring the mitigation program and reporting to the resource agencies to keep them informed of the status of the mitigation program. Reports to resource agencies will include a *Mitigation Accounting Form* filed annually, and an *Annual Mitigation Status Report*.

**c) *Less-than-significant impact with mitigation:*** Jurisdictional areas, defined by the USACE and CDFG, within the Santa Clara River, were delineated as part of the Final EIS/EIR for the 404 Permit and 1603 Streambed Alteration Agreement for Portions of the Santa Clara River and Its Tributaries (USACE, 1998a) and the NRMP (USACE, 1998b), as part of a larger group of projects being developed by Newhall Land. Areas of wetlands and waters of the United States, defined by the USACE, were not delineated separately for this project because of the long-term nature of the 404 permit and the transitory nature of the Santa Clara River. Impacts of this project were previously analyzed in the aforementioned EIS/EIR, and the following mitigation measures will be implemented in accordance with the mitigation measure NRMP BIO-4.

### ***Community Resources***

**a); c); and d) *No impact:*** The proposed project would continue to be consistent with the existing land uses in the project area (a mixture of open space, urban, and rural uses). The project is within the existing SR 126 corridor, and will enhance the capacity of the existing SR 126/Commerce Center Drive at-grade intersection. The existing uses would not be impaired by the proximity of the proposed interchange, and are already well integrated with the transportation facilities in the area. Because the project would upgrade and replace and existing at-grade intersection, it would not divide established communities in the area.

The proposed interchange would be compatible with the proposed developments in the area; specifically with the Valencia Commerce Center and the Newhall Ranch land development. Without the proposed interchange, local as well as regional circulation through the SR 126/Commerce Center Drive at-grade intersection would be constrained due to high traffic volumes. With the proposed interchange, the existing and proposed land uses would

be served as shown through improved traffic levels of service (see also Section 3.18 Traffic Transportation/Pedestrian and Bicycle Facilities).

**b) No impact:** The proposed project is not located within the Coastal Zone; therefore, no permanent impacts to the Coastal Zone would occur with project implementation.

**c) Less-than-significant impact with mitigation:** The proposed interchange would have a significant impact on life-styles and stability in the project area. However, as noted in the noise analysis prepared for the project, noise generated by the interchange would be less than significant to the adjacent Valencia Travel Village with implementation of noise abatement measures listed in Section 3.4.5 (i.e., noise wall). Based on the information in the noise study, the total allowable cost for constructing a noise barrier for Valencia Travel Village would be \$1,997,000. Assuming an occupancy rate of 50 percent for Valencia Travel Village, the reasonableness allowance would be \$998,500 (or nearly \$1,000,000). The required noise barrier proposed for the project would be 862.5 meters (2,830 feet) long and vary in its heights between 3.05 to 4.27 meters (10 to 14 feet). The estimated cost of this noise barrier, assuming a unit noise barrier cost of \$25 per square foot, would be approximately \$800,000. Therefore, the noise barrier would be feasible and reasonable to construct. Additionally, the proposed project would provide safer and efficient access to the Valencia Travel Village via Henry Mayo Drive.

**e) No impact:** Based on review of data for Census Tract 9203.27 and neighboring Tract 9201.06, the median household incomes for both tracts are above the median household income for Los Angeles County. Therefore, implementation of the project would have no impacts to low-income populations. The project vicinity has a predominantly White race/ethnicity (65.8 percent), while the next two larger groups are Asian (14.2 percent) and Hispanic or Latino (11.8 percent). It is anticipated that the project would not disproportionately impact minority populations.

**f) Less-than-significant impact; g) No impact:** The proposed project would not negatively affect local or regional employment, industry, or commerce, or require the displacement of businesses. It would, however, have a significant positive effect for local and regional businesses, which would benefit from improved traffic operations at the SR 126/Commerce Center Drive and Commerce Center Drive/Henry Mayo Drive interchanges. The proposed interchange would also accommodate planned growth within the Valencia Commerce Center. Impacts to the Valencia Travel Village resulting from the loss of direct access are discussed in Section 3.18.

**h) No impact:** With the exception of the Valencia Travel Village, there are no community facilities such as medical, education, scientific, or religious institutions; ceremonial sites; or sacred shrines located within the project area. As a result, there are no significant impacts to community facilities resulting from the project.

**i) No impact:** There are no other modes of transportation, including waterborne, rail, and air modes, within the immediate project vicinity. The project is primarily the upgrade of an existing at-grade intersection to a partial cloverleaf interchange, and would have no impacts on other modes of transportation.

**j) Less-than-significant impact:** The proposed interchange would be compatible with the proposed developments in the area; most likely with the Valencia Commerce Center and the Newhall Ranch land development. Without the proposed interchange, local as well as regional circulation, through the SR 126/Commerce Center Drive at-grade intersection would be constrained due to high forecast traffic volumes. With the proposed interchange, the existing and proposed land uses would be served as shown through improved traffic levels of service (see also Section 3.18 Traffic/Transportation).

**k) No impact:** According to Section 3.1 – Hydrology, Water Quality, and Stormwater Runoff, the Santa Clara River is not a wild or scenic river, as designated by the National Wild and Scenic Rivers System (National Park Service, 1999). Additionally, according to Section 3.19 – Visual/Aesthetics, the interchange would not obstruct the view of any scenic vista, or create an aesthetically offensive site. The project area is not within a visually sensitive setting due to the developing commercial area and restricted views of the Santa Clara River. Therefore, the project would not impact wild or scenic rivers, or natural landmarks.

**l) Less-than-significant impact with mitigation:** Implementation of the mitigation measures outlined in the following sections would minimize temporary project construction impacts to levels of insignificance: Section 3.4 – Noise; Section 3.3 – Air Quality; Section 3.1 – Hydrology, Water Quality, and Stormwater Runoff; and Section 3.18 – Traffic Transportation/Pedestrian and Bicycle Facilities.

### **Cultural Resources**

**a) No impact:** The HPSR prepared for the project indicates that no significant historic resources exist in the project area (CH2M HILL, 2004e). Eight properties were analyzed in the historic architecture survey. Of these, two buildings, one building group, and one landscape feature located along Henry Mayo Drive were determined to predate 1957. Three other buildings and one structure postdate 1957. None of the properties has previously



been determined eligible for inclusion in the NRHP, nor do any appear to meet the criteria for eligibility to the National Register because they were modified and did not retain their architectural integrity.

**b) and c) No impact:** A record search was undertaken in September 1999 by the South Central Coastal Information Center at the University of California, Los Angeles. A second search was undertaken in June 2002 by the South Central Coastal Information Center at California State University, Fullerton. The record searches revealed no previously recorded historic or prehistoric resources within a 1.6-kilometer (1-mile) radius of the project area. During a field survey conducted by Greenwood & Associates on September 20, 1999, no cultural resources were observed. To further confirm that no cultural resources are located within the proposed project area, the staff of the Native American Heritage Commission were requested to provide the names and addresses of Native American individuals and/or organizations who they suggested might be able to provide further information regarding cultural resources in the proposed project area. To date, we have received no significant information regarding cultural resources or sacred sites within the project area; therefore, the project would not impact any known cultural resources.

**d) No impact:** Although there appears to be no known archaeological resources in the project area, project-related construction activities may unearth cultural remains and/or artifacts. In the event that remains and/or artifacts are found during the construction of the project, the site will be protected until it can be evaluated by a qualified archaeologist. Contract specifications will identify procedures for encountering cultural resources, including human remains. For example, the contract specifications may state:

“If, cultural materials appear during construction, work will stop in the immediate area. Upon such discoveries, the Contractor shall immediately notify the Caltrans Environmental Branch Chief and the site will be protected until it can be evaluated by a qualified archaeologist. The Caltrans Archaeologist will consult with the FHWA and the State Historic Preservation Officer to formulate a treatment plan, including avoidance alternatives to mitigate for cultural resource impacts. Work can only resume in that area with approval of the State Historic Preservation Officer and the Caltrans Archaeologist. If human remains are encountered, Section 7050.5 of the California Health and Safety Code will be followed.”

### **Geology and Soils**

**a – d ) Less-than-significant impact:** There are numerous faults that run in the area. The most proximate fault in the project area is the San Gabriel fault, a fairly inactive branch of

the San Andreas fault. According to the Newhall quadrangle map of the Alquist-Priolo Earthquake Fault Zone Maps (California Department of Conservation), the San Gabriel fault runs right along Magic Mountain Parkway and through the Valencia Industrial Center. The fault runs east of the project site, approximately 1 mile east of I-5, and approximately 2 miles north of Newhall. The project site is not within the denoted Alquist-Priolo Zone of known fault ruptures.

The project site sits atop many hundreds of feet of alluvium that was deposited by the tributaries of the Santa Clara River during the last few thousand years. Review of the *Generalized Geologic Map of California* (California Department of Conservation) shows that the project site is located in an area of quaternary sedimentary rocks (gravel, sand, silt, and clay); tertiary sedimentary rocks (sandstone, shale, and conglomerate); and mesozoic granitic rocks (coarse-grained igneous rocks).

As an approval requirement, the proposed interchange will be designed to meet the structural seismic requirements for Caltrans freeway interchanges. Therefore, the project would have a less-than-significant impact to people and structures in the event of strong seismic shaking, liquefaction, and ground failure. Also, the project would not result in substantial soil erosion and would not be constructed on unstable geologic units or expansive soils.

*e) No impact:* The project is the construction of a grade-separated interchange from an existing signalized intersection. The project would not use or place septic tanks or other alternative wastewater disposal systems on the project site.

### **Hazards and Hazardous Materials**

*a) and b): Less-than-significant impact:* Per the ISA conducted for the proposed project (CH2M HILL, 1999c), the following recognized environmental conditions were identified at the subject parcel:

- Potential groundwater contamination from past agricultural land use at the site and leaking USTs, and a landfill at nearby properties
- Potential for residual concentration of pesticides/herbicides in soil resulting from routine applications associated with past agricultural land use at the subject parcel

Approximately 0.5-hectare (1.3 acres) of potentially contaminated land would be required for the Build Alternative, with no additional ROW required for the No Build Alternative. Because no recognized environmental concerns were observed during a May 1998 site visit, these potential environmental conditions are not considered adverse impacts. As a result, the proposed project is not expected to result in a significant risk of the release of hazardous

substances during the construction and operation of the proposed project, and would not endanger the safety of workers or the general public. Additionally, neither the presence of these conditions nor the construction or operation of the proposed project is anticipated to violate any published federal, state, or local standards pertaining to hazardous waste, solid waste, or litter control. However, because testing of soil and groundwater contamination levels will be completed after the environmental documentation phase is completed, a definitive level of impact cannot be determined until soil and groundwater tests are completed. These tests must be completed prior to the purchase or exchange of ROW to the State of California, which is prohibited from purchasing or receiving land on which contaminants are located.

The proposed project would require the removal of existing yellow thermoplastic traffic stripes and pavement markings. These materials have the potential to contain hazardous levels of lead and/or chromium, which could be dangerous to the environment and to human health during construction. These materials typically are removed using sand- or air-blasting equipment. Workers are required to adhere to OSHA standards that describe necessary personal safety equipment and work procedures. After blasting, the blasted material is collected and disposed at an appropriate hazardous materials facility. The amount of material would not be substantial and would not result in a significant impact to local hazardous materials facilities.

**c) No impact:** The project site is not within 0.4 km (0.25-mile) of an existing or proposed school. Therefore, there would be no impacts to schools due to hazardous materials associated with the project.

**d) No impact:** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, there would be no significant impacts to the public or the environment.

**e) and f) No impact:** The project site is not within the vicinity of any public or private airports/airstrips. Therefore, there would be no impacts to those facilities or to employees of those facilities.

**g) Less-than-significant impact:** During the construction phases of the Build Alternative, certain lanes and sections of SR 126, Commerce Center Drive, and Henry Mayo Drive may be temporarily closed to allow specific construction activities to occur. Lane closures and detour routes will be designed to minimize impacts on peak-hour traffic flow to mainline SR 126. During the stage, the construction contractor will be required to develop a TMP for review and approval from Caltrans District 7.

The objective of the TMP is to mitigate the impact construction activities will have on freeway and roadway users, and it may include the following strategies:

- A public awareness campaign prior to and during construction
- Real-time communication with motorists, including changeable message signs and highway advisory radio announcements to alert motorists of upcoming construction impacts, detours, and travel conditions
- Promotion of ridesharing and public transit
- Identification of park-and-ride and other public transit modes to encourage use of ridesharing and public transit
- Provisions for tow truck service during peak hours to remove stalled vehicles within the construction zone

Construction activities along SR 126 and at the SR 126/Commerce Center Drive intersection will be coordinated with other construction activities that will be taking place nearby at around the same time. The I-5/SR 126, Hasley Canyon Road and Magic Mountain Parkway interchanges will also be under construction.

The TMP will be closely coordinated with the City, the County, Newhall Land, and the public to ensure that traffic along SR 126 and the surrounding streets remains at an acceptable level of operation during construction.

***h) No impact:*** In general, current land use patterns within the proposed project area reflect a mixture of open space, urban, and rural use. The immediate project area has commercial and industrial properties, agriculture uses, and vacant land consisting of either undeveloped commercial and industrial areas, hills, or floodplains. There are no residential properties within the proposed project area. Therefore, the proposed project would not expose people or structures to a significant risk for wildland fires.

### ***Hydrology and Water Quality***

***a) and f) Less-than-significant impact:*** The total monthly runoff to the river was estimated as the net new impervious surface area of the interchange and Commerce Center Drive (8.54 hectares [21.11 acres] for Alternative C) multiplied by the monthly precipitation totals at the National Weather Service (NWS) station at Newhall (NWS, 1999). Those monthly totals were compared to the average monthly total hydraulic load of the river. For all months except November, the average precipitation was less than 1 percent of the river flow. In November, project-associated stormwater runoff may average up to 2.7 percent of the river

flow. In reality, stormwater BMPs designed to absorb and infiltrate stormwater runoff would mitigate for almost all stormwater runoff from the site. No adverse impacts to the Santa Clara River are expected from this small amount of project-associated runoff.

**b) *Less-than-significant impact:*** The proposed project is located within the Eastern Groundwater Basin of the Santa Clara River Valley Basin. The basin includes alluvial sediments along the river and its tributaries, and deeper Saugus Formation sediments that underlie the alluvium. Depth to water in the alluvial aquifer varies greatly due to the seasonal and long-term variation in the amount of recharge and discharge.

The majority of water extraction within the Santa Clara Valley occurs along the Santa Clara River. The largest groundwater user in the project area is the Newhall Land and Farming Company, which operates 25 to 30 wells primarily for agricultural purposes. Total groundwater extractions by the purveyors from the alluvial aquifer ranged between 19,740 and 38,240 cubic kilometers (16,000 to 31,000 acre-feet) from 1987 to 1994 (Santa Clara Valley Water Report, 2001).

The proposed project is the construction and operation of a grade-separated interchange. As such, the potential to deplete groundwater supplies or interfere with groundwater recharge would be of little (insignificant) or no impact.

**c) and d) *Less-than-significant impact with mitigation:*** Construction of the Build Alternative would require grading of the immediate project area, which could result in erosion of disturbed earth by wind and/or water adjacent to and within the Santa Clara River. Construction of the project would not directly impact Castaic Creek, located north of the proposed construction area. The erosion as a result of construction activities could result in fine-grain particulate solids entering the Santa Clara River. This siltation would be expected to wash downstream and may potentially contaminate aquatic and/or wetland habitats. However, as part of the General Construction Activity Permit for the project, the project would be required to implement a SWPPP with the intent to prevent construction pollutants from contacting stormwater in addition to minimizing silt and sediment runoff. In addition to the SWPPP, appropriate BMPs and erosion control measures would also be implemented during construction, and siltation into the Santa Clara River would be both minimal and considered less than significant.

**e) *Less-than-significant impact with mitigation:*** The project applicant shall apply for coverage under the State Water Resources Control Board's General Permit for Storm Water Discharge Associated with Construction Activity. The project applicant shall comply with all of the provisions of the permit, including the development of a SWPPP, which includes

provisions for the implementation of BMPs that are designed to minimize erosion and reduce downstream siltation and minimize the risk of potential pollutants from coming into contact with stormwater during construction activities. Such BMPs (Caltrans, 1992) would include, but are not limited to:

- The establishment of equipment staging areas and the isolation of hazardous materials from drainage to the streambed
- The control of construction vehicles and containment of any leakage; equipment maintenance in designated areas away from drainage channels
- The control of all construction debris within the river channel
- Sediment traps and/or straw bale filters and silt fences
- Temporary and permanent stabilization of exposed soil

Implementation of BMPs would minimize erosion during construction and would prevent significant siltation impacts and nonvisible pollutants from affecting water quality and aquatic and riparian habitats.

There would be a slight increase in the amount of stormwater runoff on the project site due to the increase in the amount of impervious surfaces. As a result, there would be a small increase in runoff to the Santa Clara River, which could potentially degrade surface water quality. However, adherence to standard construction methods and BMPs would minimize adverse environmental effects to the Santa Clara River, prevent the proposed project from significantly affecting water quality, and ensure project consistency with state and federal water quality standards. The BMPs would be designed to channel runoff away from the river, absorb and infiltrate flows, detain direct runoff, and prevent nonvisible pollutants from discharging from the site. These BMPs are discussed in the mitigation portion of this section.

The proposed project will require both construction and operations stormwater NPDES permits. All potential impacts to water quality and flooding will be minimized or prevented during construction by the implementation, adherence, and monitoring of construction BMPs. Stormwater BMPs will be described in detail as part of the SWPPP filed as part of the stormwater NPDES permitting for the project. Standard operational BMPs (Caltrans, 1992), or postconstruction measures, that would effectively control erosion and water quality impacts include, but are not limited to:

- Earth, gravel, or grass-lined water quality filters to infiltrate and absorb stormwater runoff from the roadway
- Stormwater detention basins
- A storm drain and basin maintenance program

Construction management BMPs are designed to minimize erosion and reduce downstream siltation and potential nonvisible pollutant discharges during construction activities. Standard BMPs (Caltrans, 1992) would include, but are not limited to:

- The establishment of equipment staging areas and the requirements for storage of hazardous materials to prevent pollutants from discharging from the site, or entering waterways
- The control of construction vehicles and containment of any leakage
- The control of all construction debris
- Installation of sediment traps and/or straw bale filters, silt fences, and sandbags
- Temporary and permanent stabilization of exposed soil
- Implementation of BMPs that would minimize erosion during construction, and prevent nonpollutants from significantly affecting water quality

In addition, consultation with state and federal agencies concerning protection measures for the listed aquatic species in the project vicinity in accordance with the NRMP will be required. The following are standard measures to minimize water quality impacts due to construction activities, as listed in the NRMP:

- Equipment shall not be operated in areas of ponded or flowing water without approval of the CDFG.
- Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.
- Installation of bridges, culverts, or other structures shall not impair movement of fish or aquatic organisms. Bottoms of temporary culverts shall be placed at below channel grades. Bottoms of permanent culverts shall be placed below channel grade.

- Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or be placed in locations that may be subject to normal storm flows during periods when storm flows can be reasonably be expected to occur.
- If a stream channel has been altered during the construction and/or maintenance operations, its low-flow channel shall be returned as nearly as practical to preproject topographic conditions without creating a possible future bank erosion problem, or a flat wide channel or sluice-like area. The gradient of the streambed shall be returned to preproject grade, to the extent practical, unless it is specified in the NRMP as a restoration area, or a new river bottom area.
- Staging/storage areas for equipment and materials shall be located outside areas of ponded or flowing water.
- Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the Agreement.
- Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life.
- Stationary equipment such as motors, pumps, generators, and welders, located within the riverbed construction zone shall be positioned over drip pans. No fuel storage tanks are allowed in the riverbed.
- County of Los Angeles and/or its approved contractor will use best efforts to ensure that no debris, bark, slash, sawdust, rubbish, cement, or concrete or washings thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the state. When operations are completed, any excess materials or debris shall be removed from the work area and properly disposed.
- No equipment maintenance shall be done within or near any stream where petroleum products or other pollutants from the equipment may enter these areas under flow.

The following are specific water quality mitigation measures listed in the NRMP:

(WQ-1) The engineering design and operational criteria of the proposed water quality wetlands and filters shall be reviewed by the Regional Board staff during the 401 certification review for individual projects. The final designs should consider optimal



size, retention time, internal flow patterns, use of a forebay, selection of appropriate plants, and location of inlets and outlets.

(WQ-2) The design of the proposed treatment control BMPs must meet the requirements of any similar treatment control BMP that is formally adopted by the Regional Board for the then current municipal stormwater permit for Los Angeles County or the City of Santa Clarita.

**g) No impact:** As discussed in the Floodplain Evaluation Report, the proposed project is located within the base floodplain of the Santa Clara River, although not the base floodplain for Castaic Creek (CH2M HILL, 2004d). However, the project is the construction and operation of an existing intersection/interchange facility; and no homes would be placed in the floodplain as a result of this project.

**h) Less-than-significant impact:** Construction activities associated with the proposed interchange project would impact portions of the Santa Clara River floodplain (relocation of the Commerce Center Drive/Henry Mayo Drive intersection, and reconfiguration of Henry Mayo Drive into the Santa Clara River floodplain). Approximately 2.9 hectares (7.1 acres) of the floodplain would be affected by components of the project. Construction-related impacts to the natural and beneficial floodplain values will be prevented through the use of BMPs and mitigated in the NRMP to a less-than-significant level.

As discussed above, impacts to the natural and beneficial floodplain values resulting from the proposed project are included in the NRMP. Consequently, all necessary mitigation measures for these impacts are included in the NRMP. Mitigation measures from the NRMP that are relevant to the specific impacts of this project are listed below.

Additionally, implementation of the NRMP would result in a gain of approximately 39.3 hectares (97 acres) of potential new riverbed because 39.3 hectares (97 acres) of uplands will be lowered to the elevation of the riverbed and used to create a new riverbed habitat for mitigation purposes. Hence, the NRMP could result in an overall net gain of 27.9 hectares (69 acres) of riverbed<sup>1</sup>.

#### **Permanent measures**

- a. Installation of structures shall not impair water flow. Bottoms of permanent culverts shall be placed below channel grade.

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<sup>1</sup> The Natural River Management Plan includes impacts and mitigation for eight new bridges; one replacement bridge; and six widened bridges, including the SR 126/Commerce Center Drive interchange project. The net gain in riverbed area discussed above results from the mitigation of impacts of all NRMP projects.

- b. If a stream channel has been altered, the low-flow channel shall be returned as nearly as practical to preproject topographic conditions.

*Construction measures*

- a. Construction activities shall be limited to the following areas of temporary disturbance: (1) a 25.9-meter (85-foot) zone that extends into the river from the base of the riprap or gunite bank protection where it intercepts the river bottom; and (2) 6.09-meter (20-foot)-wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the VRL that is submitted to the CDFG and USACE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the postconstruction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or significant human intrusion shall occur outside the work area and access roads.
- b. Equipment shall not be operated in areas of ponding or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the USACE. Approval shall be acquired by submitting a request to CDFG and USACE no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site, or along access roads. This request may be included in the VRL that is submitted to the CDFG and USACE.
- c. Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) when the construction site contains flowing or ponded water that drains offsite into the undisturbed streamflow or ponds, as allowed for certain areas under Item (a) above; or (2) when streamflow is diverted around the construction site, but the work is occurring in the period from November 1 through April 15 when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy river bottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to preconstruction

grades and substrate conditions within 30 days after construction has ended at that particular site. The location and design of sediment retention ponds shall be included in the SWPPP prepared by the project applicant for all construction activities that require a NPDES general construction activity stormwater permit.

- d. Installation of structures shall not impair water flow. Bottoms of temporary culverts shall be placed at or below channel grade.
- e. Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1 through April 15.
- f. Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high-water mark before such flows occur.
- g. Staging/storage areas for construction equipment and materials shall be located outside the high-water mark.
- h. Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life.
- i. Stationary equipment such as motors, pumps, generators, and welders will not be located within the riverbed construction zone.
- j. The project applicant shall use best efforts to ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, the Santa Clara River or Castaic Creek. When construction operations are completed, any excess materials or debris shall be removed from the work area and properly disposed.
- k. No equipment maintenance or fueling shall be conducted within 15.2 meters (49.8 feet) of a watercourse.

With the implementation of these mitigation measures, impacts to the Santa Clara River floodplain would be reduced to a level that is considered less than significant.

**i) and j) No impact:** The proposed project is not located in an area with active levees and dams and, therefore, would have no impact to people using the interchange facility, or

structures adjacent to the interchange. In addition, because the project is not within the coastal zone, any potential seiche, tsunami, or mudflow would not significantly affect the proposed interchange.

### ***Land Use and Planning***

**a) No impact:** Under the Build Alternative, the proposed interchange would be consistent with the County of Los Angeles General Plan's Policy 9.4 (Land Use Element); Policy 1.3 (Economic Development Element); and Policies 2.1 and 2.3 (Circulation Element). The proposed interchange would meet existing and future local residential needs by providing adequate roadway and intersection capacity to existing and planned employment centers (Valencia Commerce Center).

Policy 7.1 of the City of Santa Clarita General Plan states that "...necessary public facility improvements should precede or be coordinated with future development..." Construction of the Build Alternative is consistent with this policy in that it is tied with the future expansion of the Valencia Commerce Center, which is planned to be a 1.2-million-square-meter (12-million-square-foot) employment center at its buildout.

For the above reasons, the Build Alternative is expected to be consistent with local land use plans and policies.

**b) Less-than-significant with mitigation:** The proposed project is consistent with the NRMP. Impacts to the natural and beneficial floodplain values, hydrology, and biological resources resulting from the proposed project are included in the NRMP. Consequently, all project-related mitigation measures for impacts to floodplain, hydrology, and biological resources are also included in the NRMP.

### ***Mineral Resources***

**a) and b) No impact:** A majority of the project site is within an existing area designated as Caltrans ROW, and contains an existing Caltrans facility. Based on other local plans and policies, there are no known mineral resources on the project site. Therefore, there would be no impacts to known mineral resources on the project site.

### ***Noise***

**a), b), and c) Less-than-significant impact with mitigation:** Traffic noise levels were evaluated using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108) as coded into the SOUND32 computer program. The FHWA Model is the analytical method currently favored by most state and local agencies, including Caltrans, for highway traffic noise prediction. The model is based upon reference energy emission levels for automobiles,

medium trucks (two axles), and heavy trucks (three or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics onsite. The FHWA model was developed to predict hourly  $L_{eq}$  values for free-flowing traffic conditions, and it is generally considered to be accurate within +1.5 dB. The SOUND32 version of the FHWA Model uses Calven traffic noise emission curves, which are recommended by Caltrans to more accurately calculate noise levels generated by California traffic.

As discussed in the Noise Impact Analysis, a computer program (SOUND32) was used to calculate future (2025) Build and No Build traffic noise levels from SR 126 in terms of peak-hour  $L_{eq}$  (CH2M HILL, 2004c). The same four sites, as discussed in Section 3.13, representing receiver locations inside the Valencia Travel Village were analyzed. Table 3.4-2 in Chapter 3.4 summarizes future Build and No Build traffic noise levels at these locations in terms of the state/federal and county criteria. These data show that future (2025) traffic noise levels for both the Build and No Build conditions exceed the 66-dBA criterion at all selected receiver locations within the Valencia Travel Village.

Potential traffic noise mitigation measures that may be considered for the project include the following:

- Constructing a noise barrier along the south side of SR 126
- Depressing the roadway
- Modifying the proposed alignment of the road
- Modifying speed limits
- Restricting truck traffic

Of the above mitigation measures, the noise barrier option is usually the most practical, reasonable, and effective choice. The other options would be inconsistent with the project purpose; therefore, they would be impractical. Table 3.4-4 in Chapter 3.4 shows the results of the noise barrier modeling analysis. Caltrans requires a 5-dBA noise reduction with a barrier to be considered reasonable and feasible mitigation, hence the need for a 4.3m (14-foot) wall; this wall also satisfies the Los Angeles County assumed noise level criterion. Therefore, a noise barrier of heights up to 4.2 meters (14 feet) above the roadway surface would mitigate future traffic noise levels within the Valencia Travel Village to acceptable levels. The noise barrier will be located beginning at Station 11+24.011 and ending at Station 19+57.085. The barrier would reduce future noise levels within the recreational vehicle park to levels slightly below existing noise levels. To be effective, the barrier should be constructed of massive materials, and should be continuous without gaps or openings that

could result in flanking paths and reduce barrier performance. A combination of berm and wall may also be acceptable. The required noise barrier would be 862.5 meters (2,830 feet) long and vary in its heights between 3.05 to 4.27 meters (10 to 14 feet). The estimated cost of this noise barrier, assuming a unit noise barrier cost of \$25 per square foot, would be approximately \$782,000.

It should also be noted that noise barriers can have their own negative impacts. Barriers may interfere with the passage of air, interrupt scenic views, create objectionable shadows, or reduce or eliminate visibility of a business from the roadway. Barriers could also create maintenance access problems, make it difficult to maintain landscaping, create drainage problems, and provide pockets for trash and garbage to accumulate. While a noise barrier may be beneficial for the Valencia Travel Village for noise reasons, it would result in the business losing its visibility from SR 126. Therefore, all mitigation measures will be designed with the consent and cooperation of the owner(s) of the Valencia Travel Village.

**d) Less-than-significant impact with mitigation:** During the construction phase, noise from construction activities would add to the noise environment in the immediate project area. Activities involved in construction would generate noise levels, as indicated in Table 3.4-3 in Chapter 3.4, ranging from 82 to 86 dBA at a distance of 30 meters (100 feet). The distance from the project construction activities to the nearest parking areas within Valencia Travel Village would be approximately 25 to 30 meters (80 to 100 feet). Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Construction at night would not occur; therefore, sleep disruptions are not anticipated.

Noise would also be generated during the construction phase by increased truck traffic on area roadways associated with transport of heavy materials and equipment. This noise increase would be of short duration, and would probably occur primarily during daytime hours. The diversion of traffic onto local roads and traffic "bottle-necks" might also create temporary noise impacts.

Equipment operating at the project site will conform with contractual specifications requiring the contractor to comply with all local noise control rules, regulations, and ordinances. However, there are no FHWA or Caltrans criteria for mitigating construction noise impacts. Despite the lack of criteria for construction noise mitigation, the following standard Caltrans measures will be implemented to minimize such impacts:

- Whenever possible, the operation of heavy equipment and other noisy procedures shall be limited to daylight hours; otherwise a nighttime noise variance will be required.

- The installation and maintenance of effective mufflers on equipment shall be done to minimize noise from construction vehicles.
- Construction equipment shall be required to maintain all engine covers, shields, and screening from the manufacturer.
- Location of equipment and vehicle staging areas shall be as far from the Valencia Travel Village as possible.
- Limit unnecessary idling of equipment.

**e) and f) No impact:** The proposed project is not within the vicinity of a public or private airport/airstrip. The project site is also not within the boundaries of a local and/or regional airport land use plan.

### **Population and Housing**

**a) Less-than-significant impact:** The proposed project is a programmed improvement in the RTIP and serves to mitigate forecast traffic volumes from approved development. Without the proposed interchange, local as well as regional circulation through the SR 126/Commerce Center Drive at-grade intersection would be constrained due to high forecast traffic volumes from approved development. With the proposed interchange, the existing and proposed land uses would be served as shown through improved and satisfactory levels of service (see also Section 3.18 Traffic Transportation/Pedestrian and Bicycle Facilities).

**b) and c) No impact:** Growth in the number of housing units within the Santa Clarita Valley is supported by the goals of the Santa Clarita Area Plan and the City General Plan, which seek to create a balance of jobs and housing. At the present time, there is an imbalance of jobs and housing. The County Santa Clarita Area Plan includes approximately 4,047 hectares (10,000 acres) of proposed new development outside the City of Santa Clarita. This land is planned for single- and multiple-family residences, and significant areas are also planned for the needed industrial and commercial land uses (i.e., the Valencia Commerce Center). The proposed project would not remove any existing housing or persons from the project vicinity, nor would it prevent the construction of new housing.

### **Public Services**

**a) Fire and Police Protection – Less-than-significant impact:** Emergency services could experience temporary, short-term traffic delays during construction. Any road closures and detours would be advertised in advance and signed to minimize adverse impacts to both the traveling public and emergency service operators. A TMP will be required that would minimize impacts to emergency services. Section 3.18, Traffic Transportation/Pedestrian

and Bicycle Facilities, provides a description of the TMP. This impact would not be considered significant due to the temporary, short-term nature of the impact.

**a) Schools, Parks, and other Public Facilities – No impact:** There are no schools, parks, and other public facilities in the project vicinity. The project involves the improvement of an existing roadway facility; as such, no impacts to these types of public facilities are anticipated to occur.

### **Recreation**

**a) Less-than-significant impact:** The construction of a new grade-separated interchange at SR 126 and Commerce Center Drive would eliminate direct access from SR 126 to the Valencia Travel Village. The project would construct a new access for the Travel Village at the Commerce Center Drive/Henry Mayo Drive intersection. Signing would be provided along SR 126 to redirect travelers to the Valencia Travel Village via Henry Mayo Drive. The loss of direct access from eastbound SR 126 to the Valencia Travel Village would be a less-than-significant impact. The new route would maximize operation and increase safety.

**b) No impact:** The proposed project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

### **Transportation/Traffic**

**a) and b) Less-than-significant impact:** Table 5.2-2 shows the LOS at the signalized intersections along Commerce Center Drive based upon the ICU analysis for the No Build Alternative and proposed project conditions. With the construction of the Build Alternative, the improved SR 126/Commerce Center Drive interchange would operate at LOS D or better, a significant improvement from the forecasted No Build Alternative LOS F.

**Table 5.2-2. Intersection LOS Summary**

Location	2025 No Build Alternative				2025 Build Alternative			
	A.M.		P.M.		A.M.		P.M.	
	v/c	LOS	v/c	LOS	v/c	LOS	v/c	LOS
Commerce & SR 126	1.31	F	1.40	F	-	-	-	-
Commerce & SR 126 WB	-	-	-	-	0.83	D	0.65	B
Commerce & Henry Mayo	0.78	C	0.62	B	0.81	D	0.73	C
Commerce & Hancock St.	0.90	D	0.74	C	0.90	D	0.74	C

The proposed improvements would add the necessary capacity to accommodate the future buildout within the area. A comparison of the operational conditions of the Build and No Build Alternatives for the year 2025 indicates that the proposed improvements would



alleviate several of the potential operational and safety problems identified in the analysis of the No Build Alternative.

**c) No impact:** The proposed project involves the improvement of an existing at-grade intersection to a partial cloverleaf freeway interchange. There would be no change in air traffic patterns and no increases in air traffic levels with implementation of the project.

**d) Less-than-significant impact:** The Build Alternative for the SR 126/ Commerce Center Drive intersection proposes a grade-separated interchange at the SR 126/Commerce Center Drive intersection and widening of SR 126. A new structure would be built over Commerce Center Drive to allow for uninterrupted flow on SR 126. The interchange would provide full movement for traffic from Commerce Center Drive and along SR 126. The construction of this interchange would result in improvements to local access and circulation. Access to the Valencia Travel Village would no longer be provided directly from SR 126, but via the Commerce Center Drive/Henry Mayo Drive intersection. Signing would be provided along SR 126 to redirect travelers to the Valencia Travel Village via Henry Mayo Drive.

**e) Less-than-significant impact:** During the construction phases of the Build Alternative, certain lanes and sections of SR 126, Commerce Center Drive, and Henry Mayo Drive may be temporarily closed to allow specific construction activities to occur. This could temporarily impact emergency access to service vehicles. However, lane closures and detour routes will be designed to minimize impacts on emergency services as well as peak-hour traffic flow on SR 126. During the PS&E stage, the construction contractor will be required to develop a TMP for review and approval from Caltrans District 7.

The objective of the TMP is to mitigate the impact construction activities will have on freeway and roadway users, and it may include the following strategies:

- A public awareness campaign prior to and during construction
- Real-time communication with motorists, including changeable message signs and highway advisory radio announcements to alert motorists of upcoming construction impacts, detours, and travel conditions
- Promotion of ridesharing and public transit
- Identification of park-and-ride and other public transit modes to encourage use of ridesharing and public transit
- Provisions for tow-truck service during peak hours to remove stalled vehicles within the construction zone

The TMP will be closely coordinated with the City, the County, Newhall Land and the public to ensure that traffic along SR 126 and the surrounding streets remains at an acceptable level of operation during construction.

*f) No impact:* Once completed, the proposed interchange project will not create a demand for parking spaces. During the construction phases, employee parking will be provided within, or adjacent to, the construction staging areas.

*g) No impact:* The proposed project is funded transportation improvement project, and will not conflict with adopted policies, plans, or programs supporting alternative transportation.

### **Utility and Service Systems**

*a), b), c), d), and e) No impact:* The proposed project is the reconstruction of an existing at-grade intersection to a grade-separated interchange. Unlike a land development project (e.g., new home or office land uses), the proposed project would not create a demand additional utility and service systems.

*f) and g) Less-than-significant impact:* Construction of the proposed interchange would result in a reduction of solid waste municipal landfill capacity; however, this capacity reduction is not expected to be substantial because the wastestreams of construction and demolition debris are usually segregated and recycled to take advantage of differential disposal fees. Municipal landfill fees are generally on the higher end of the scale; consequently, construction and demolition wastes are taken to municipal solid waste landfills as a last resort. The deposit of solid waste resulting from construction of the project will comply with federal, state, and local statutes and regulations.

### **Mandatory Findings of Significance**

*a) Less-than-significant impact with mitigation:* Based upon the studies conducted for the project, including the NRMP, it has been determined that the development of the SR-126/Commerce Center Drive interchange project would have less than significant impacts to the environment with mitigation. The NRMP analyzed impacts that would result from the proposed development of the Valencia Company (now Newhall Land) and similar projects from present to the year 2018. Construction of the Santa Clara River Bridge (Commerce Center Drive over Santa Clara River) is anticipated to occur between 2006 and 2008. To avoid cumulative impacts to the Santa Clara River, the proposed project is anticipated to be constructed and in operation before the construction of the bridge over the Santa Clara River. Because the SR 126/ Commerce Center Drive interchange project would be consistent with the projects considered under the NRMP, the NRMP measures to minimize harm would be applicable to this project. Implementation of measures to

minimize harm are included in Section 3.8.5 and will mitigate direct, indirect and cumulative biological impacts to a level that is less than significant impact to the following:

- Candidate sensitives, or special-status species in local regional plans, riparian habitat, or other sensitive natural community identified in local or regional plans, policies, or regulations
  - Federally protected wetlands
  - The movement of any native resident or migratory fish or wildlife species; conflict with local policies or ordinances protecting biological resources
  - Conflict with the provision of an adopted Habitat Conservation Plan; Natural Community Conservation Plan; or other approved local, regional, or state habitat conservation plan
  - Association with construction activities (e.g. noise, dust, temporary drainage, traffic, etc.
  - Water quality standards or waste discharge requirements
  - Substantially alter the existing drainage pattern of the site or area
  - To impede or redirect flood flows
  - Expose people and structures to seismic shaking of exposure of persons to or generation of noise levels in excess of standards established in the local general plan noise ordinance
  - Expose persons to or generation of excessive groundborne vibration and noise
- b) ***Less than significant impact:*** Based upon the studies conducted for the project, including the NRMP, it has been determined that the cumulative impacts resulting from the development of this project combined with other projects in the area would have a less than significant impact (Chapter 4 provides a more complete description of the cumulative impacts for the project area). The NRMP analyzed impacts that would result from the proposed development of the Valencia Company (now Newhall Land) and similar projects from present to the year 2018. Construction scheduling for this project will be coordinated to minimize the overall cumulative impact to the environment. Construction of the Santa Clara River Bridge (Commerce Center Drive over Santa Clara River) is anticipated to occur between 2006 and 2008. To avoid cumulative impacts to the Santa Clara River, the proposed project is anticipated to be constructed and in operation before the construction of the bridge over the Santa Clara River. Due to the construction scheduling with other cumulative projects this project is anticipated to have

a less than significant impact on environmental resources. Cumulative impacts resulting from this project being constructed in conjunction with the other nearby projects will be mitigated through the development of a Construction Management Plan by Caltrans, which prevents overlapping of significant projects in the same region. Other Measures to Minimize Harm that have been identified for the project as a result of cumulative impacts are identified in more detail in Chapter 4 of this IS/EA.

- c) **No Impact:** The project will not have adverse impacts on human beings, either directly or indirectly.



# **Chapter 6**      **Summary of Public Involvement Process**

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## **6.1      Coordination with Organizations**

During the early preparation of this IS/EA, monthly PDT meetings were held to discuss design options, factors to be considered during the environmental study process, and scheduling issues. Staff from Caltrans, FHWA, County of Los Angeles, Newhall Land, and CH2M HILL attended these meetings. More frequent conversations were conducted to ensure that important issues were resolved between meeting dates.

As part of the coordination necessary for the environmental study process, the following federal, state, and local agencies were consulted:

- Archaeological Information Center, Institute of Archaeology University of California, Los Angeles
- U.S. Army Corps of Engineers (USACE)
- California Department of Fish and Game (CDFG)
- Los Angeles County Flood Control Department
- Los Angeles County Planning Department
- Native American Heritage Commission
- South Coast Air Quality Management District (SCAQMD)

Staff from these agencies provided substantive information regarding the presence of environmental resources within the project area, regulations governing those resources, impact assessment methodologies, significance of environmental impacts, and the design of any necessary mitigation measures.

## **6.2      Scoping Summary**

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. This chapter summarizes the results of the Newhall efforts to

fully identify, address, and resolve project-related issues through early and continuing coordination.

CEQA and NEPA regulations do not require formal scoping for projects where an IS/EA is prepared. However, to ensure that local concerns are presented for consideration and inclusion in the environmental studies, a scoping notice was submitted to local newspapers as well as other governmental agencies for their early review/comment. Scoping letters were mailed to interested parties on October 14, 2003. A list of agencies/ stakeholders that a scoping notice was submitted to is provided in Appendix A and copies of the advertisements/letters can be found in Appendix E. Additionally, the scoping notice was advertised in a number of local newspapers (Table 6.2-1). Responses to the scoping notices can be found in Appendix F.

**Table 6.2-1**  
Scoping Notice Newspaper Publication

The Signal	October 21, 2003
The LA Times	October 21, 2003
La Opinion	October 21, 2003

The scoping notice/letters resulted in a response letter from the following individuals/agencies:

- Southern California Association of Governments (Jeffery Smith, AICP)
- Penfield & Smith Engineers (Patrick Reeves, P.E.)
- Castaic Union School District (Jaime Garcia)
- California Regional Water Quality Control Board (Elizabeth Erickson)

#### **Southern California Association of Governments**

The comments from SCAG confirmed that the SR126 Commerce Center Drive Project is regionally significant and directly relates to the Regional Comprehensive Plan and Guide (RCPG) and RTP. As such, SCAG has also confirmed that this project is consistent with the 2001 RTP, and is listed in the 2000/2001 – 2005/2006 RTIP (Project ID. No. LAOC 8099). SCAG then provided a list of policies that are applicable to the project. See Appendix F.

### **Penfield & Smith Engineers**

Penfield & Smith Engineers is retained as consulting civil engineers for the Valencia Water Company, and it submitted a letter advising of the location of proposed water system facilities. Penfield & Smith is concerned that this project assures that an allowance is made for the construction of three water pipelines for the Valencia Water Company. The letter (located in Appendix F) provides a map showing the approximate location of these water lines.

### **Castaic Union School District**

The Castaic Union School District has provided a fax showing its interest in receiving information on the project as well as a request for the project schedule when developed.

### **California Regional Water Quality Control Board**

The California RWQCB has provided a list of permitting requirements to be referred to in preparation of the documentation for this project. The RWQCB has concerns pertaining to water quality and the potential change in pollutant loading into the watershed as a result of this project. It is anticipated that the RWQCB will formally submit comments, and that these comments will be responded to accordingly.

### **Native American Heritage Commission**

The Native American Heritage Commission has been contacted and indicated that there is no presence of Native American cultural resources in the immediate area of the project. However, it requests that additional Native American individuals/organizations be contacted to assist in identifying any cultural resources within the project area.

## **6.3 Public Hearings**

As part of ongoing consultation for this environmental process, a "Notice of Public Hearing" was advertised in newspapers serving the proposed project area (Table 6.3-1). This notice was published on both 30 days before the hearing (on 05/23/05) and seven days prior (on 06/16/05). Copies of these newspaper ads are located in Appendix E. Additionally, a notice of availability was sent to interested parties on May 19, 2005. A public hearing was held for this project, detailed below. Any comments received during circulation regarding the proposed project, its impact on the environment, or concerns or issues about the project were incorporated into the IS/EA before final certification of the document.



**Table 6.3-1**  
Public Hearing Newspaper Publication

The Signal	05/23/05 and on 06/16/05
The LA Times	05/23/05 and on 06/16/05
La Opinion	05/23/05 and on 06/16/05

The Notice of Public Hearing also included a list of public locations where copies of this IS/EA and referenced technical reports can be viewed. These locations included Caltrans District 7 offices (contact Gregory Damico), Los Angeles County Department of Public Works (contact Hubert Seto), and the Los Angeles County Public Library in Valencia.

A Public Hearing was held on June 23, 2005, at 6:00 p.m., in a conference room at the Castaic Union School District. The purpose of the meeting was to introduce the proposed project to responsible and coordinating agencies and the public, and to solicit comments and concerns regarding the project. The presentation lasted until 6:50 p.m., and staff was available to answer questions until 8:00 p.m. There were 18 individuals in attendance at the hearing. Ron Kosinski (Deputy District Director, Caltrans 7) served as the Hearing Officer. Other Caltrans staff in attendance included Chris Benz-Blumberg, Carlos Montez, Gregory Damico, and Mumbie Fredson-Cole.

## **Chapter 7**      List of Preparers

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This IS/EA was prepared by CH2M HILL for the Newhall Land and Farming Company. Caltrans District 7 and the FHWA provided reviews of all chapters of this IS/EA. The following lists the CH2M HILL and subconsultant team that prepared this IS/EA:

### **CH2M HILL (Prime Consultant)**

Jamal Salman, Senior Project Manager

Contribution: Project Manager

Harley Martin, Project Manager

Contribution: Environmental Task Leader

Mike Phillips, Transportation Planner

Contribution: IS/EA Task Leader

Cindy Salazar, Planner

Contribution: Lead IS/EA Planner

Joe Sawtelle, Project Engineer

Contribution: PR Task Leader

John Castleberry, Technical Specialist

Contribution: Task Leader, Air Quality

Keith McGregor, Project Engineer

Contribution: Air Quality analysis

Farshad Farhang, Project Engineer

Contribution: Task Leader, Noise

George Hsu, Project Engineer

Contribution: Task Leader, Floodplain

### **Bon Terra Consulting (Subconsultant)**

Ann Johnston, Principal of Biological Services

Contribution: Principal-in-Charge

Jeff Galizio, Senior Project Manager

Contribution: NES Project Manager

**Greenwood & Associates (Subconsultant)**

John Foster

Contribution: ASR/HASR Project Manager

James Schmidt

Contribution: Lead Archaeological Surveyor

Dana Slawson

Contribution: Lead Historic Architecture Surveyor

## Chapter 8      References

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# **Appendix A** Coordination and Consultation





## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-4082



December 20, 1999

REPLY BY FAX TO: (714) 429-2050

Karen DiCarlo  
CH2M Hill  
3 Hutton Centre Drive, Suite 200  
Santa Ana, CA 92707

RE: SR-126 Commerce Center Drive Interchange Project

Dear Ms. DiCarlo:

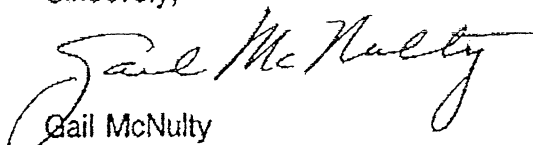
A search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate area of the above referenced project.

The absence of specific site information in the sacred land file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites. Therefore, I have enclosed a list of Native American individuals/organizations who may be able to assist you regarding cultural resources on the sites you identified. The Commission makes no recommendation or preference of a single individual, or group over another. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. A minimum of two weeks must be allowed for responses after notification.

If you receive a change of address or phone numbers from any of these individuals or groups please notify me. With your assistance we are able to assure that our lists contain current information.

If you have any questions or need additional information, please contact me. at (916) 653-4040.

Sincerely,

  
Gail McNulty  
Associate Program Analyst

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**MEMORANDUM**

**To:** Cesar Perez

**Date:** May 16, 2003

**File:** 07-LA-126

KP R6.8/R8.3

E.A. 187220

**From:** DEPARTMENT OF TRANSPORTATION, DISTRICT 07  
Office of Environmental Planning

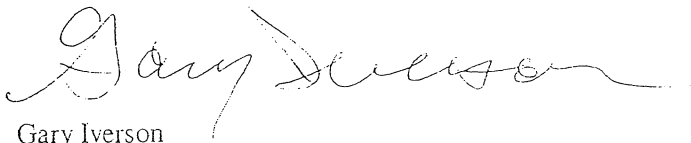
**Subject:** Cultural Resource Compliance Review

Attached for your signature is Negative Historic Property Survey (Negative HPSR) for the above referenced project. Be advised that this document has been reviewed by the District 7 Division of Environmental Planning Cultural Resource Staff. Claudia Harbert conducted the Architectural Historic review, Gary Iverson conducted the Archaeological review, and Diane Kane reviewed the balance of the document including the findings as the District 7 Historic Resource Coordinator.

The results of these reviews lead to a concurrence with the negative findings by all reviewing staff members. We, therefore, feel it would not be necessary to submit this document to the State Historic Preservation Officer (SHPO) for concurrence with the project findings.

Please feel free to contact me with any questions or comments you may have regarding this project at (213) 897-3818.

Sincerely,

A handwritten signature in cursive script, reading "Gary Iverson". The signature is written in dark ink and is positioned above the printed name and title.

Gary Iverson  
District 7 Senior Archaeologist





# California Regional Water Quality Control Board

## Los Angeles Region



Terry Tamminen  
Secretary for  
Environmental  
Protection

Over 51 Years Serving Coastal Los Angeles and Ventura Counties  
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

320 W. 4th Street, Suite 200, Los Angeles, California 90013  
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

Arnold Schwarzenegger  
Governor

January 29, 2004

Marieka Schrader  
Department of Transportation, District 7  
120 South Spring Street  
Los Angeles, CA 90012

Dear Marieka Schrader,

Re: CEQA Documentation for Project in the Santa Clara Watershed

SCH# 2003101127

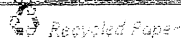
We appreciate the opportunity to comment on the CEQA documentation for the above-mentioned project. For your information a list of permitting requirements and Regional Board Contacts is provided in Attachment A hereto.

The project site lies in the Santa Clara watershed that was listed as being impaired pursuant to Section 303 (d) of the Clean Water Act. Impairments listed in reaches downstream from the proposed project include nutrients and their effects, salts, coliform bacteria, and historic pesticides. The Los Angeles Regional Water Quality Control Board will be developing Total Maximum Daily Loads (TMDLs) for the watershed, but the proposed project is expected to proceed before applicable TMDLs are adopted. In the interim, the Regional Board must carefully evaluate the potential impacts of new projects that may discharge to impaired waterbodies.

Our review of your documentation shows that it does not include information on how this project will change the loading of these pollutants into the watershed. Please provide the following additional information for both the construction and operational phases of the project.

- For each constituent listed above, please provide an estimate of the concentration (ppb) and load (lbs/day) from non-point and point source discharges.
- Estimates of the amount of additional runoff generated by the project during wet and dry seasons.
- Estimate of the amount of increased or decreased percolation due to the project.

*California Environmental Protection Agency*



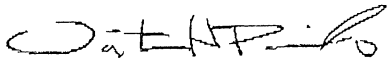
*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations*

January 29, 2004

- Estimates of the net change in cubic feet per second of groundwater and surface water contributions under historic drought conditions (as compiled by local water purveyors, the Department of Water Resources, and others), and 10-year 50-year, and 100-year flood conditions.

If you have any questions please call me at (213) 576-6683.

Sincerely,



For Elizabeth Erickson  
Associate Geologist, TMDL Unit  
Los Angeles Regional Water Quality Control Board

EE  
Attachments (1)  
cc:  
State Clearinghouse  
File

ATTACHMENT A

- ✓ If the proposed project will result in a discharge of dredge or fill into a surface water (including a dry streambed), and is subject to a federal license or permit, the project may require a *Section 401 Water Quality Certification*, or waiver of Waste Discharge Requirements. For further information, please contact:

Valerie Carrillo, Nonpoint Source Unit at (213) 576-6759.

- ✓ If the project involves inland disposal of nonhazardous contaminated soils and materials, the proposed project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Rodney Nelson, Landfills Unit, at (213) 620-6119

\*\*\*\*\*

- ✓ If the overall project area is larger than five acres, the proposed project may be subject to the State Board's *General Construction Activity Storm Water Permit*. For further information, please contact:

Tracy Woods, Statewide General Construction Activity Storm Water Permits at (213) 620-2095.

- ✓ If the project involves a facility that is proposing to discharge storm water associated with industrial activity (e.g., manufacturing, recycling and transportation facilities, etc.), the facility may be subject to the State Board's *General Industrial Activities Storm Water Permit*. For further information, please contact:

Kristie Chung, Statewide General Industrial Storm Water Permits at (213) 620-2283.

- ✓ If the proposed project involves requirements for new development and construction pertaining to municipal storm water programs, please contact:

Dan Radulescu, Municipal Storm Water Permits, Los Angeles County at (213) 620-2039;

Jeff Mack, Municipal Storm Water Permits, Ventura County at (213) 620-2121

- ✓ The proposed project also shall comply with the local regulations associated with the applicable Regional Board stormwater permit:

Los Angeles County and Co-permittees:

NPDES No. CAS614001

Waste Discharge Requirements Order No. 96-054.

Long Beach County and Co-permittees:

NPDES CAS004003

Waste Discharge Requirements Order No. 99-060.

Ventura County and Co-permittees:

NPDES No. CAS004002

Waste Discharge Requirements Order No. 00-108.

\*\*\*\*\*

- ✓ If the proposed project involves any construction and/or groundwater dewatering to be discharged to surface waters, the project may be subject to *NPDES/Waste Discharge Requirements*. For further information, please contact:

Augustine Anijelo, General Permitting and Special Projects Unit at (213) 576-6657 (All Region 4 Watersheds).

- ✓ If the proposed project involves any construction and/or groundwater dewatering to be discharged to land or groundwater, the project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Kwang-il Lee, Non-Chapter 15 Unit, at (213) 620-2269 (All Region 4 Watersheds).







Gray Davis  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
Interim Director

Request for Early Consultation

October 27, 2003

To: Reviewing Agencies

Re: SR 126/Commerce Center Drive Interchange Project  
SCH# 2003101127

Prior to determining whether a Negative Declaration or an Environmental Impact Report (EIR) is required for a project under CEQA, a Lead Agency is required to consult with all responsible and trustee agencies. This notice and attachment fulfill the early consultation requirement. Recommendations on the appropriate type of environmental document for this project, as well as comments on its scope and content, should be transmitted to the Lead Agency at the address below. You do not have to be a responsible or trustee agency to comment on the project. All agencies are encouraged to comment in a manner that will assist the Lead Agency to prepare a complete and adequate environmental document.

Please direct your comments to:

Marieka Schrader  
Department of Transportation, District 7  
120 South Spring Street  
Los Angeles, CA 90012

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to SCH Number 2003101127 in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Project Analyst, State Clearinghouse

Attachment  
cc: Lead Agency





2020 NORTH TUSTIN AVENUE • SANTA ANA, CALIFORNIA 92705-7827

TELEPHONE (714) 667-0496

FAX (714) 667-7952

E-mail: mail@austinfoust.com

## MEMORANDUM

TO: Mike Phillips, CH2M Hill

FROM: Daryl Zerfass, P.E.

DATE: January 28, 2005

SUBJECT: **COMMERCE CENTER DRIVE/SR-126 INTERCHANGE**

The Project Report (PR) for the Commerce Center Drive/SR-126 interchange included traffic volume forecasts for the year 2025, obtained from the Santa Clarita Valley Consolidated Traffic Model (SCVCTM). The purpose of this memorandum is to compare the 2025 forecasts shown in that document to the 2030 forecasts that are now available.

The PR utilized traffic volumes documented in the Commerce Center Drive/SR-126 Interchange PR Traffic Data report (January 2003) prepared by Austin-Foust Associates. At that time, 2025 represented the long-range horizon being forecast by the SCVCTM. In 2004, an update to the long-range SCVCTM was prepared which produces traffic volume forecasts for 2030 conditions. Like the previous 2025 model, the 2030 model is based on buildout of the City and County General Plans.

As stated in the PR Traffic Data report, the long-range forecast volumes are based on buildout of the City & County General Plans, which includes the buildout of the Newhall Ranch development and Commerce Center business park. Since both the 2025 model and the new 2030 model are based on buildout of the General Plan, which hasn't changed in the vicinity of the interchange since the original forecasts were prepared, volume differences between two models will be minor. The attached Figure 1 illustrates the ADT volumes shown in the PR Traffic Data report and compares them to the current 2030 forecasts.

The figure shows that the volume of traffic using the interchange goes down slightly, as shown by the reduction in volumes on Commerce Center Drive just north of the interchange. Volumes on SR-126 just east and west of the interchange increase slightly but the volume differential between those two segments goes down. The overall variation between the two sets of data is minor and it can be concluded that the 2025 forecasts used for the preparation of the PR remain valid.

Attachment

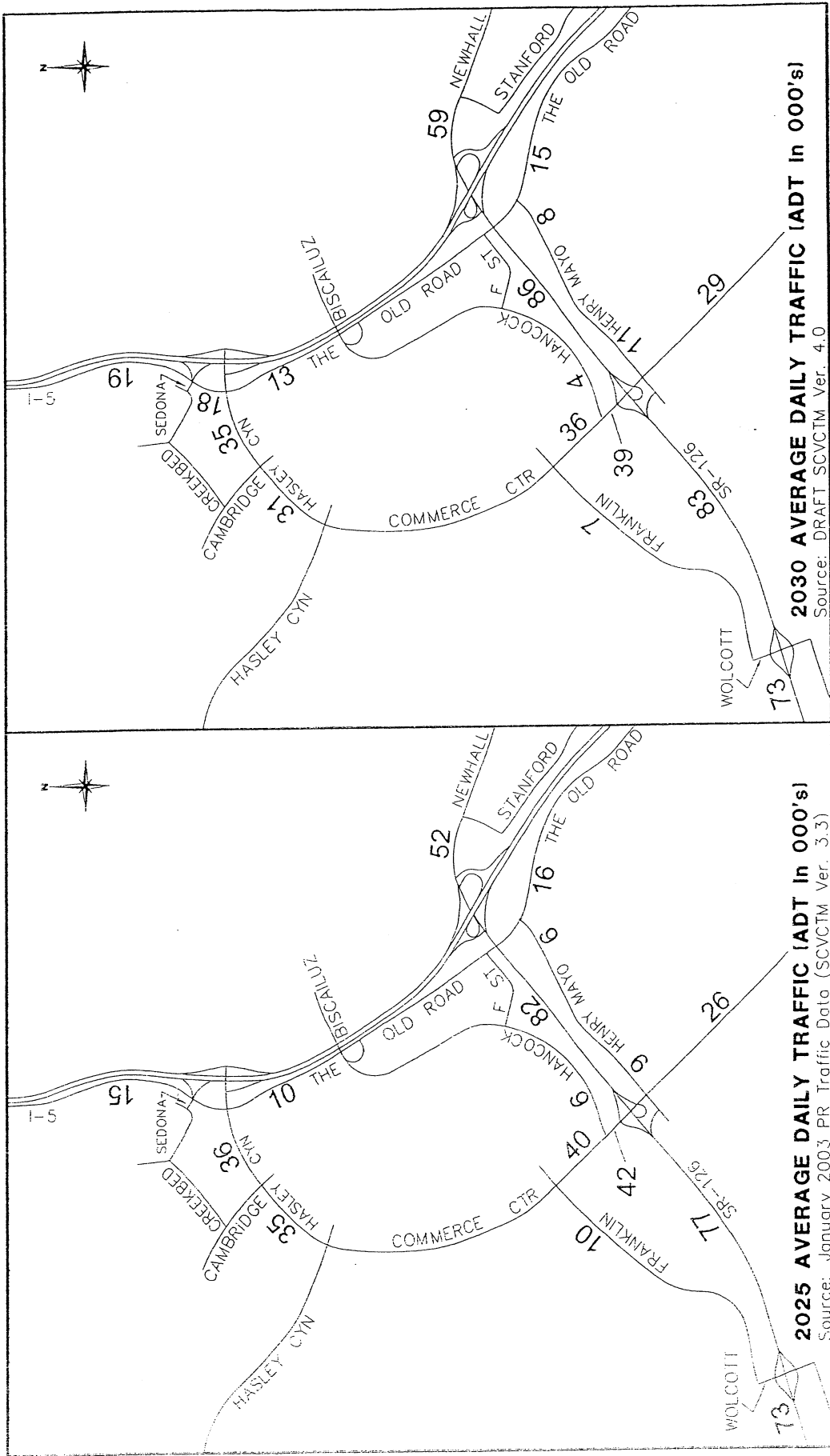


Figure 1

COMPARISON OF 2025 TO 2030 TRAFFIC VOLUMES

Phillips, Mike/SCO

---

From: Christian\_Dellith@r1.fws.gov  
Sent: Tuesday, January 04, 2005 2:18 PM  
To: Phillips, Mike/SCO  
Subject: Species List for the State Route 126/Commerce Center Drive InterchangeProject, LA Cnty



SR 126-Commerce  
Center Species...

Mike,

In regards to our telephone conversation, the attached species for the proposed subject project remains valid. The status of the species on the attached list have not changed and potential effects to these species, if indeed present within the proposed project site, should be analyzed and addressed.

Thanks,

Chris Dellith  
Senior Fish & Wildlife Biologist  
U.S. Fish & Wildlife Service  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, CA 93003  
(805) 644-1766

(See attached file: SR 126-Commerce Center Species List.pdf)



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003

In Reply, refer to: 2002-689.1

September 18, 2002

Jeffrey C. Galizio  
Senior Project Manager, Biological Services  
Bonterra Consulting  
151 Kalmus Drive, Suite E-200  
Costa Mesa, California 92626

Subject: Species List for the State Route 126/Commerce Center Drive Interchange Project, Los Angeles County, California

Dear Mr. Galizio:

We are writing in response to your request, dated August 16, 2002, and received in our office on August 19, 2002, for information regarding federally listed endangered or threatened species that may occur in the Valencia Commerce Center area. This area is approximately 1 mile West of the intersection of Interstate 5 and Highway 126. We understand that Bonterra Consulting is currently revising the Draft Natural Environmental Study (NES) for the California Department of Transportation State route 126/Commerce Center Drive interchange. As part of the revision, Bonterra has requested that we review the list of special-status species included in the NES. We have enclosed a list of federally listed species that may occur in the Valencia Commerce Center area, California.

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns that include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species.

Jeffrey C. Galizio

2

Exemptions to the prohibitions against take may be obtained through coordination with the Service through interagency consultation for projects with Federal involvement pursuant to section 7 or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act. If the subject project is to be funded, authorized, or carried out by a Federal agency and may affect a listed species, the Federal agency must consult with the Service, pursuant to section 7(a)(2) of the Act. If a proposed project does not involve a Federal agency but may result in the take of a listed animal species, the project proponent should apply for an incidental take permit, pursuant to section 10(a)(1)(B) of the Act. Once you have determined if the proposed project will have a lead Federal agency, we can provide you with more detailed information regarding the section 7 or 10(a)(1)(B) permitting process.

Only listed species receive protection under the Act. However, other sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Game's (CDFG) Natural Diversity Data Base and that you contact the CDFG at (916) 324-3812 for information on other species of concern that may occur in this area.

If you have any questions concerning this letter or the attached list, please contact Chris Dellith of my staff at (805) 644-1766.

Sincerely,



Diane K. Noda  
Field Supervisor

Enclosure



**LISTED AND PROPOSED SPECIES  
THAT MAY OCCUR IN THE VALENCIA COMMERCE CENTER AREA,  
LOS ANGELES COUNTY, CALIFORNIA**

Birds

California gnatcatcher	<i>Polioptila californica</i>	T
Southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	E
Least Bell's vireo	<i>Vireo bellii pusillus</i>	E

Amphibians

California red-legged frog	<i>Rana aurora draytonii</i>	T
Arroyo toad	<i>Bufo californicus</i>	E

Fish

Unarmored threespine stickleback	<i>Gasterosteus aculeatus williamsoni</i>	E, PCH
Steelhead trout	<i>Oncorhynchus mykiss</i>	*

Plants

San Fernando Valley spineflower	<i>Chorizanthe parryi</i> var. <i>fernandina</i>	C
Slender-horned spineflower	<i>Dodecahema leptoceras</i>	E
Nevin's barberry	<i>Berberis nevinii</i>	E

**Key:**

E - Endangered

T - Threatened

PCH - Critical habitat which has been proposed

C - Candidate species for which the Fish and Wildlife Service has on file sufficient information on the biological vulnerability and threats to support proposals to list as endangered or threatened.

\* Species for which the National Marine Fisheries Service has responsibility. For more information, call the Santa Rosa Field Office at 707-575-6050 or go to <http://swr.ucsd.edu/>.



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814-4708

January 6, 2005

IN REPLY REFER TO

HDA-CA

File #: 07-LA-126

Document #: P51529

Mr. Chris Dellith  
U.S. Fish and Wildlife Service  
2493 Portola Road, Suite B  
Ventura, CA 93003

SUBJECT: Concurrence Request for Consistency of SR-126/Commerce Center Drive Project in  
Biological Opinion 1-8-02-F-4R.

Dear Mr. Dellith:

The Valencia Company, in cooperation with the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA), is proposing a new interchange at the State Route 126 (SR-126)/Commerce Center Drive intersection. The project is located northwest of the City of Santa Clarita, within the unincorporated area of Los Angeles County. Caltrans is the lead agency for the California Environmental Quality Act (CEQA) and the FHWA is the lead agency for the National Environmental Policy Act (NEPA). The FHWA and Caltrans are currently reviewing the draft Environmental Assessment/Initial Study (EA/IS) for the proposed project.

The SR-126/Commerce Center Drive Interchange (preferred alternative) would include a grade-separated interchange with a new overcrossing structure for SR-126 over Commerce Center Drive. As part of the project, new connecting ramps would be added between SR-126 and Commerce Center Drive and SR-126 would be widened both east and west of the interchange for a distance of 0.8 kilometers (0.5 mile) in either direction. To provide the required intersection spacing, the alignment of SR-126 and Henry Mayo Drive would be shifted to the south. The extension of Commerce Center Drive across the Santa Clara River (Commerce Center Drive Bridge) would not be included as part of this project.

The proposed project is included in the Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) "404 Permit and 1603 Streambed Alteration Agreement for Portion of the Santa Clara River and its Tributaries" (August 1998) and related "Natural River Management Plan" (NRMP) (November 1998). The U.S. Army Corps of Engineers and California Department of Fish and Game prepared this document for the Valencia Company's application for a Section 404 Permit and a 1603 Streambed Alteration Agreement. The NRMP serves to implement permitted activities and includes mitigation measures that are to be carried out as part of the permits.



The project footprint remains within the impact area studied for the Commerce Center Bridge. Impacts associated with the currently proposed project are addressed in the referenced EIS/EIR and mitigation measures included in the NRMP would be appropriate for the proposed project. The EA/IS prepared for this project will also include any additional mitigation determined necessary for the SR-126/Commerce Center Drive project.

After reviewing the EIS/EIR and the NRMP, the FHWA and Caltrans have determined the inclusion of the SR-126/Commerce Center project under the NRMP is appropriate. We would like to request your concurrence with our determination. Attached to this letter is a sample determination form. Your signature will indicate that you agree with our determination that the proposed project should be included under the Section 404/1603 permit.

If you have any questions, or need additional information, please contact Cynthia Vigue at (916) 498-5042. Thank you very much for your time and effort in this matter.

Sincerely,

/s/ *Cynthia Vigue*

For  
Gene K. Fong  
Division Administrator

Enclosure:  
Sample Determination Form

cc: w/o Enclosure (by E-mail)  
Gary Winters, Caltrans HQ  
Terry Abbott, Caltrans HQ  
Susanne Glasgow, Caltrans D-11  
Chris Benz Blumberg, Caltrans D-7  
César Pérez, FHWA  
Larry Vinzant, FHWA  
Lisa Cathcart-Randall, FHWA

CVigue/at

## Environmental Determination Form

The Valencia Company, in cooperation with the city of Santa Clarita, Los Angeles County, the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA), is proposing to construct a new interchange at the State Route 126 (SR-126)/Commerce Center Drive Interchange, located northwest of the city of Santa Clarita within the unincorporated area of Los Angeles County. Caltrans is the lead agency for the California Environmental Quality Act (CEQA), and FHWA is the lead agency for the National Environmental Policy Act (NEPA).

The proposed SR-126/Commerce Center Drive Interchange (preferred alternative) would include a grade-separated interchange with a new overcrossing structure for SR-126 over Commerce Center Drive. As part of the project, new connecting ramps would be added between SR-126 and Commerce Center Drive, and SR-126 would be widened both east and west of the interchange for a distance of 0.8 kilometers (0.5 mile) in either direction. To provide the required intersection spacing, the alignment of SR-126 and Henry Mayo Drive would be shifted to the south.

The proposed project is included in the EIS/EIR "404 Permit/1603 Streambed Alteration Agreement for Portions of the Santa Clara River and its Tributaries" (August 1998) and related "Natural River Management Plan" (NRMP) (November 1998). The U.S. Army Corps of Engineers and California Department of Fish and Game prepared this document for the Valencia Company's application for a Section 404 Permit/1603 Streambed Alteration Agreement. The NRMP serves as the Section 404/1603 permit for these projects and includes mitigation measures that are to be carried out as part of this permit.

Impacts associated with the currently proposed project are addressed in the referenced EIS/EIR, and mitigation measures included in the NRMP would be appropriate for the proposed project. The EA/IS prepared for this project will include any additional mitigation determined necessary for the SR-126/Commerce Center Drive project. Therefore, our determination is that the proposed project shall be covered under the Section 404/1603 permit.

### Determination Approved:

---

Name  
Title  
U.S. Fish and Wildlife Service

DATE





DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
VENTURA FIELD OFFICE  
2151 ALESSANDRO DRIVE, SUITE 110  
VENTURA, CALIFORNIA 93001

REPLY TO  
ATTENTION OF:

January 10, 2005

Office of the Chief  
Regulatory Branch

Mr. Cesar Perez  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Dear Mr. Perez:

The Newhall Land and Farming Company (former Valencia Company) in cooperation with California Department of Transportation (Caltrans), is proposing a new interchange at the State Route 126 (SR-126) /Commerce Center Drive intersection. Currently, a joint Draft Environmental Assessment/Initial Study (EA/IS) is under review by the Federal Highway Administration (FHWA) and, as part of this review process, your staff raised a question concerning the inclusion of the proposed interchange project in the Natural River Management Plan (NRMP).

The Corps and the California Department of Fish and Game jointly prepared an Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR, August 1998) for Newhall Land and Farming Company's programmatic and regional activities requiring a Section 404 Permit and 1603 Streambed Alteration Agreement (Corps File Number 94-00504-BAH). The EIS/EIR proposed actions and activities included projects by Newhall Land and Farming Company, including the new interchange at the intersection of State Route 126 (SR-126) and Commerce Center Drive. In the Final EIS/EIR, the Corps evaluated and selected the Hybrid Avoidance Alternative as the environmentally preferred, and least environmentally damaging practical alternative, which included the currently configured SR-126/Commerce Center Drive project alignment.

The SR-126/Commerce Center Drive Interchange (preferred alternative) would include a grade-separated interchange with a new over-crossing structure for SR-126 over Commerce Center Drive and bank stabilization along Henry Mayo Drive. As part of the project, new connecting ramps would be added between SR-126 and Commerce Center Drive, and SR-126 would be widened both east and west of the interchange. To provide the required intersection spacing, the alignment of SR-126 and Henry Mayo Drive would be shifted to the south into the footprint of a future extension of Commerce Center Drive across the Santa Clara River (Commerce Center Drive Bridge). The Commerce Center Drive Bridge is not included as part of the proposed interchange project, but the bridge design is being accommodated by incorporation of the northern abutment.

The project footprint remains within the impact area studied for the Commerce Center Drive Bridge. Impacts associated with the currently proposed project are addressed in the referenced EIS/EIR and mitigation measures included in the NRMP would be appropriate for the proposed project.

After reviewing the EIS/EIR and the NRMP, the Army Corps of Engineers determined that the SR-126/Commerce Center Drive project is covered under the NRMP, although the proposed project design still needs to be evaluated through the NRMP verification process and receive written Corps approval. The USFWS issued a Biological Opinion (BO) on November 27, 1998 stating that the NRMP, including the development of the SR-126/Commerce Center Drive project, would not likely jeopardize the threatened and endangered species identified in the area. A supplementary BO was issued on November 15, 2002 that concluded that the NRMP would not likely jeopardize the continued existence of the arroyo toad (*Bufo californicus*).

If you have any questions concerning this matter, please contact Aaron O. Allen of my staff at (805) 585-2148.

Sincerely,

Antal Szijj  
Acting Chief, North Coast Section  
Regulatory Branch

Copies furnished:  
Mark Subbotin (Newhall Land)  
Jamal Salman (CH2MHill)  
Chris Benz-Blumberg (Caltrans)

## Memorandum

To: Chris Benz-Blumberg  
Associate Environmental Planner

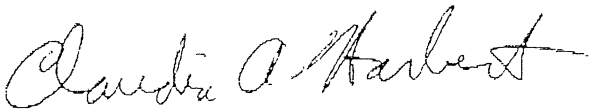
Date: October 19, 2004

File: 07-LA-126  
KP R6.8-R8.3 (PM R4.2-R5.2)  
SR-126/Commerce Center Drive  
Interchange Project  
EA 187200

Subject: Response to FHWA Comments

I have reviewed the Historic Property Survey Report (HPSR) that was completed in August 2004 for the above referenced project, and have determined that the document is accurate and appropriate with respect to the January 1, 2004 Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act (106 Programmatic Agreement).

If you have any additional questions, please contact me at 213.897.0415 or [claudia.harbert@dot.ca.gov](mailto:claudia.harbert@dot.ca.gov).  
Thank you.



Claudia A. Harbert  
Caltrans PQS - Principal Architectural Historian







## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



EXHIBIT REF TO:  
PAS 116.154.3208

March 18, 2005

Mr. Gene Fong, Division Administrator  
California Division  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, California 95814-4708

Subject: Concurrence Request for State Route 126/Commerce Center Drive Project,  
Valencia, Los Angeles County, California (Document # P51529)

Dear Mr. Fong:

We are responding to your request, dated January 6, 2005, and received in our office on January 10, 2005, for our concurrence that the subject project is covered by the Biological Opinions 1-8-98-F/C-61 and 1-8-02-F-4R (U.S. Fish and Wildlife Service 1998, 2002), which are based on our review of the U.S. Army Corps of Engineers' (Corps) authorization of the Natural River Management Plan (NRMP) (Corps 1998), as proposed by the Valencia Company. The Valencia Company, in cooperation with the City of Santa Clarita, Los Angeles County, the California Department of Transportation (Caltrans), and Federal Highway Administration (FHWA), is proposing to construct a new interchange between State Route 126 and Commerce Center Drive. We understand that the FHWA is the lead Federal agency for this project, and it would assume responsibility under section 7 of the Endangered Species Act of 1973, as amended (Act).

The proposed project would include a grade-separated interchange with a new overcrossing structure for State Route 126 over Commerce Center Drive. As part of this project, new connecting ramps would be added between State Route 126 and Commerce Center Drive. The project entails widening both the east and west sides of the interchange for a distance of 0.5 mile in either direction. To provide for the intersection spacing, the alignment of State Route 126 and Henry Mayo Drive would be shifted to the south, placing it on the northern bank of the Santa Clara River. The extension of the Commerce Center Drive across the Santa Clara River would not be included as part of this project.

We concur with your determination that proposed project is covered by the biological opinions 1-8-98-F/C-61 and 1-8-02-F-4R. Our concurrence is based on the following:

- 1) The project was included in the Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) Permit and Streambed Alteration Agreement for Portions of the Santa Clara River and its Tributaries" and the NRMP;

Gene Fong

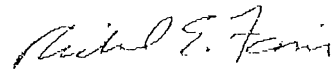
2

- 2) The mitigation measures included in EIS/EIR and NRMP are appropriate for the proposed project; and
- 3) The Corps has incorporated the terms and conditions listed in the biological opinions into the 404 permit issued for the NRMP.

We recommend that you also notify the Corps and the California Department of Fish and Game of your intentions to qualify this project as covered by the NRMP.

If you have further questions, please contact Chris Dellith of my staff at (805) 644-1766.

Sincerely,



Rick Farris  
Division Chief  
Southern Santa Barbara/Ventura/Los Angeles

cc: Aaron Allen, U.S. Army Corps of Engineers  
Betty Courtney, California Department of Fish and Game

## LITERATURE CITED

- U.S. Army Corps of Engineers and California Department of Fish and Game. 1998. Final environmental impact report/environmental impact statement: 404 permit and 1603 agreement for portions of the Santa Clara River and its tributaries. Prepared for the U.S. Army Corps of Engineers, Ventura Field Office, Ventura, California and the California Department of Fish and Game, Region 5, Long Beach, California by Woodward-Clyde Consultants, Santa Barbara, California.
- U.S. Fish and Wildlife Service. 2002. Biological Opinion for the Natural River Management Plan, Santa Clarita, Los Angeles County, California (1-8-02-F-4R) (File No. 940050400-BAH).
- U.S. Fish and Wildlife Service. 1998. Biological Opinion for the Valencia Company's Clean Water Act Section 404 Authorization for Portions of the Santa Clara River, Los Angeles County, California (1-8-98-F/C-61)



## Appendix B Title VI Policy Statement

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DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE DIRECTOR  
1120 N STREET  
P. O. BOX 942873  
SACRAMENTO, CA 94273-0001  
PHONE (916) 654-5267  
FAX (916) 654-6608



July 26, 2000

### TITLE VI POLICY STATEMENT

The California State Department of Transportation under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, sex and national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

A handwritten signature in cursive script that reads "Jeff Morales".

JEFF MORALES  
Director



## **Appendix C** Mitigation and Monitoring Commitments

---





Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
DESIGN KICK-OFF		Proj Mgmt & Proj Dev	Beginning of 1 phase	N		Initial/Date		Initial/Date
ENVIRONMENTAL PS&E REVIEW		Proj Mgmt & Environmental	District PS&E Circ	N				
PRECONSTRUCTION MEETING		Proj Mgmt	Contract Award	N				
Transfer Resident Engineer Book		Proj Eng	Preconst Meeting	N				
PREJOB MEETING		Proj Mgmt & Const	Const	N				
ENVIRONMENTAL COMPLIANCE REVIEW		Proj Mgmt & Const	Safety Review	N				
DESIGN FEATURES MEMORANDUM		Proj Mgmt & Const	Post Const	N				
3.1.4 - Siltation	Sec. 3.1.4, pg 3-7							
- State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, NPDES General Permit for stormwater discharges associated with Construction Activity (General Permit)		Newhall Co./Resident Engineer (RE)	Obtain permits prior to construction	N	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction. Monitoring coordinated in conjunction with the Office of Environmental Planning			
- SWRCB Order No. 99-06-DWQ, NPDES Statewide Storm Water Permit (Statewide Permit)		Newhall Co./Caltrans Storm Water Coordinator (SWC)/(RE)	Implementation of permits conditions during construction	N				
- SWMP dated May 2003 and Storm Water Quality Handbooks (Project Planning and Design Guidelines (reprinted April 2003); Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual (March 2003); Construction Site BMPs Manual (March 2003)		Newhall Co./RE		N				
- Compliance with Caltrans District 7 District Directive DD20, October 20, 2000		Newhall Co./RE		N				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.1.3 – Siltation and Water Quality</b> The SWPPP will also include a monitoring and maintenance program for these BMPs. Such BMPs would include, but are not limited to:	Sec. 3.1.3, pg 3-7	Newhall Co./RE	Implementation of BMP's during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction. Monitoring coordinated in conjunction with the Office of Environmental Planning			
• The establishment of equipment staging areas and the isolation of hazardous materials from drainage to the streambed.		Newhall Co./RE		Y				
• The control of construction vehicles and containment of any leakage; equipment maintenance in designated areas away from drainage channels.		Newhall Co./RE		Y				
• The control of all construction debris within the river channel.		Newhall Co./RE		Y				
• Sediment traps and/or straw bale filters and silt fences.		Newhall Co./RE		Y				
• Temporary and permanent stabilization of exposed soil.		Newhall Co./RE		Y				
Coverage under Caltrans' NPDES Permit will require the project to prepare a Storm Water Data Report (SWDR) in compliance with Caltrans' SWMP (Caltrans, 2002). The SWDR will consider and implement design BMPs and treatment BMPs to the maximum extent practicable. Design BMPs will prevent minimize erosion and scour during operation of the proposed project. Examples of design BMPs include but are not limited to:		Newhall Co./RE	Preparation of SWDR prior to construction	Y				
• Ditches, berms, dikes, and swales		Newhall Co./RE	Implementation of BMPs during construction	Y				
• Overside drains		Newhall Co./RE		Y				
• Flared culvert end sections		Newhall Co./RE		Y				
• Outlet protection/velocity dissipation devices		Newhall Co./RE		Y				
• Vegetated surfaces/hydroseeding		Newhall Co./RE		Y				
• Hard surfaces		Newhall Co./RE		Y				
Treatment BMPs will provide some treatment of surface runoff from the proposed project to minimize stormwater contaminants associated with siltation, such as oil and grease, sediment, and metals. Examples of treatment BMPs include, but are not limited to:		Newhall Co./RE		Y				
• Biofiltration swales and strips		Newhall Co./RE		Y				
• Detention basins		Newhall Co./RE		Y				
• Infiltration basins		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.1.3 – Siltation and Water Quality Continued</b> Completion of the SWPPP and the SWDR will indicate compliance with the NPDES Permits, and will minimize adverse water quality impacts.	Sec. 3.1.3, pg 3-7	Newhall Co./RE		Y				
<b>3.1.4 – Stormwater Runoff</b> Compliance with Caltrans' SWMP and production of the SWDR shall be done to consider and document the implementation of design and treatment BMPs to the maximum extent practicable. These BMPs will minimize impacts to stormwater runoff. Design and treatment BMPs to be considered include those listed above.	Sec.3.1.4, pg 3-7	Newhall Co./RE	Preparation of SWMP prior to construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction. Monitoring coordinated in conjunction with the Office of Environmental Planning			
Construction management BMPs are designed to minimize erosion and reduce downstream siltation and potential nonvisible pollutant discharges during construction activities. Standard BMPs (Caltrans, 2003) would include, but are not limited to:		Newhall Co./RE	Implementation of BMPs during construction	Y				
• The establishment of equipment staging areas and the requirements for storage of hazardous materials to prevent pollutants from discharging from the site, or entering waterways.		Newhall Co./RE		Y				
• The control of construction vehicles and containment of any leakage.		Newhall Co./RE		Y				
• The control of all construction debris.		Newhall Co./RE		Y				
• Installation of sediment traps and/or straw bale filters, silt fences, and sandbags.		Newhall Co./RE		Y				
• Temporary and permanent stabilization of exposed soil.		Newhall Co./RE		Y				
• Implementation of BMPs to minimize erosion during construction, and prevent nonpollutants from adversely affecting water quality.		Newhall Co./RE		Y				
Following construction of the proposed project, design and treatment BMPs will minimize hydrologic impacts to downstream receiving waters. Design and treatment BMPs include those listed above. A maintenance program for these BMPs will be implemented to confirm they are operating to their design capacity. In addition, consultation with state and federal agencies concerning protection measures for the listed aquatic species in the project vicinity in accordance with the NRMP will be required. The following are standard measures to minimize water quality impacts due to construction activities, as listed in the NRMP:		Newhall Co./RE		Y				
• Equipment shall not be operated in areas of ponded or flowing water without approval of the CDFG.		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.1.4 - Stormwater Runoff Continued</b> - Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.	Sec.3.1.4, pg 3-7	Newhall Co./RE		Y				
- Installation of bridges, culverts, or other structures shall not impair movement of fish or aquatic organisms. Bottoms of temporary culverts shall be placed at below-channel grades. Bottoms of permanent culverts shall be placed below-channel grades.		Newhall Co./RE		Y				
Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or be placed in locations that may be subject to normal storm flows during periods when storm flows can be reasonably be expected to occur.		Newhall Co./RE		Y				
- If a stream channel has been altered during the construction and/or maintenance operations, its low-flow channel shall be returned as nearly as practical to preproject topographic conditions without creating a possible future bank erosion problem, or a flat wide channel or sluice-like area. The gradient of the streambed shall be returned to preproject grade, to the extent practical, unless it is specified in the NRMP as a restoration area, or a new river bottom area.		Newhall Co./RE		Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction. Monitoring coordinated in conjunction with the Office of Environmental Planning			
- Staging/storage areas for equipment and materials shall be located outside areas of ponded or flowing water.		Newhall Co./RE		Y				
- Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the NRMP.		Newhall Co./RE		Y				
- Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life.		Newhall Co./RE		Y				
- Stationary equipment such as motors, pumps, generators, and welders located within the riverbed construction zone shall be positioned over drip pans. No fuel storage tanks are allowed in the riverbed.		Newhall Co./RE		Y				
- County of Los Angeles and/or their approved contractor will ensure that no debris, bark, slash, sawdust, rubbish, cement, or concrete or washings thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into, waters of the state. When operations are completed, any excess materials or debris shall be removed from the work area and properly disposed.		Newhall Co./RE		Y				
- No equipment maintenance shall be done within or near any stream where petroleum products or other pollutants from the equipment may enter these areas under flow.		Newhall Co./RE		Y				
The following are specific water quality measures to minimize harm listed in the NRMP:		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.1.4 – Stormwater Runoff Continued</b> (WQ-1) The engineering design and operational criteria of the proposed water quality wetlands and filters shall be reviewed by the Regional Board staff during the 401 certification review for individual projects. The final designs should consider optimal size, retention time, internal flow patterns, use of a forebay, selection of appropriate plants, and location of inlets and outlets.	Sec.3.1.4, pg 3-7	Newhall Co./RE		Y				
(WQ-2) The design of the proposed treatment control BMPs must meet the requirements of any similar treatment control BMP that is formally adopted by the Regional Board for the then current municipal stormwater permit for Los Angeles County or the City of Santa Clarita.		Newhall Co./RE		Y				
<b>3.2.4 – Hazardous Waste/ Materials - Construction Management</b> - During construction, waste material will be classified and removed from the construction area(s) to an appropriate disposal site. If the yellow paint debris is found to contain lead and chromium at actionable levels, then the debris will be disposed of in a Class I Landfill. Waste material removed from the construction area will be disposed in accordance with current standards specified in Title 22 of the California Code of Regulations (22 CCR).		Newhall Co./DEP	During construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer.			
- If a previously undetected hazardous waste site/location is unearthed during construction, all excavation activities in the immediate vicinity of the contaminated site will be suspended. Caltrans, in conjunction with other appropriate agencies, will develop a plan to investigate the site of contamination and to determine what corrective measures, if any, may be required to safeguard public health and the environment.		Newhall Co./RE		Y				
Aerially deposited lead due to vehicle emissions may be encountered during the excavation of the unpaved areas required for construction of the project. Soil samples will be collected, tested, and analyzed for lead during the design stage after roadway geometric plans have been approved. If lead is found at levels considered hazardous, the results will be noted in the Special Provisions of the project. The California Department of Toxic Substances Control (DTSC) has granted a variance to Caltrans that defines the allowable reuse of lead-contaminated soils within the project limits. The current DTSC Variance was effective September 22, 2000.		Newhall Co./RE		Y				
There is the potential for minor groundwater and soil contamination due to nearby leaking USTs, a solid waste landfill, and past agricultural activities. It is believed that the proposed project will not require excavation that will impact the groundwater level. A Site Investigation (SI) to verify the presence and extent of the hazardous waste within the project area will be conducted during the design stage after roadway geometric plans have been approved, so that design and right-of-way issues can be identified and resolved at an early stage.		Newhall Co./RE		Y				
If surface water of shallow depth is impacted during the construction of the new structures of the Build Alternative, a dewatering permit would be required prior to construction to discharge the surface/groundwater back into the Santa Clara River. Other options for surface/groundwater disposal will be analyzed prior to any work on the structures.		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.2.4 – Hazardous Waste/ Materials - Construction Management Continued</b>								
New right-of-way (ROW) may be acquired, and may have buildings or structures that may need to be demolished. In that event, surveys and abatement will be conducted for asbestos-containing materials (ACM) and lead-based paint.		Newhall Co./DEP		Y				
If contamination is identified, Caltrans will consider alternatives (including design variations) to avoid the hazardous waste area. If the site cannot be avoided, remediation of the contaminated site should be considered prior to construction because the State of California cannot purchase or be given property containing contaminated materials.		Newhall Co./RE		Y				
<b>3.3.4 – Air Quality - Construction Mitigation</b>	Sec.3.3.4 pgs. 3-23, 3-24							
Construction traffic and vehicular management plan will be incorporated to mitigate the impacts of this project. Refer to Tables 3.3-4, 3.3-5, and 3.3-6	pgs. 3-23, 3-24	Newhall Co./RE	Traffic and vehicular management plan to be prepared prior to construction	N	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction.			
<b>3.3.4 – Vehicular Emissions Controls</b>								
• Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturer's specifications and per SCAQMD rules.		Newhall Co./RE	During construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction.			
• Use electricity from existing nearby power lines rather than from temporary diesel- or gasoline-powered generators, to the extent feasible.		Newhall Co./RE		Y				
• Provide temporary traffic control during all phases of construction activities that affect circulation on public roads to maintain traffic flow.		Newhall Co./RE		Y				
• Schedule construction activities that affect traffic flow on the arterial system to off peak hours.		Newhall Co./RE		Y				
<b>3.4.4 – Noise - Abatement Measures</b>	sec3.4.4 pg. 3-33							
Potential traffic noise abatement measures that may be considered for the project include the following:		Newhall Co./RE	During construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction.			
• Construction of a noise barrier along the south side of SR 126		Newhall Co./RE		Y				
• Depressing the roadway		Newhall Co./RE		Y				
• Modifying the proposed alignment of the road		Newhall Co./RE		Y				
• Modifying speed limits		Newhall Co./RE		Y				
• Restricting truck traffic		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.4.4 – Construction Measures</b>	sec. 3.4.4 pg. 3-33							
Equipment operating at the project site will conform with contractual specifications requiring the contractor to comply with all local noise control rules, regulations, and ordinances. However, there are no FHWA or Caltrans criteria for mitigating construction noise impacts. Despite the lack of criteria for construction noise abatement, the following standard Caltrans measures will be implemented to minimize such impacts:		Newhall Co./RE	During construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction.			
- Whenever possible, the operation of heavy equipment and other noisy procedures shall be limited to daylight hours; otherwise a nighttime noise variance will be required.		Newhall Co./RE		Y				
- The installation and maintenance of effective mufflers on equipment.		Newhall Co./RE		Y				
- Construction equipment shall be required to maintain all engine covers, shields, and screening from the manufacturer.		Newhall Co./RE		Y				
- Location of equipment and vehicle staging areas as far from the Valencia Travel Village as possible.		Newhall Co./RE		Y				
- Limit unnecessary idling of equipment.		Newhall Co./RE		Y				
<b>3.6.4 – Wetlands and other Waters of the US</b>	sec. 3.6.4 pg. 3-44							
BIO-4 (a) Construction activities shall be limited to the following areas of temporary disturbance: (1) an 85-foot-wide zone that extends into the river from the base of the riprap or granite bank protection where it intercepts the river bottom and (2) 20-foot-wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the Verification Request Letter (see BIO-5 (m)) that are submitted to the CDFG and USACE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed and the postconstruction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging.		Newhall Co./Caltrans Development of Environmental Planning (DEP)/RE	Locations of temporary construction sites shall be submitted to CDFG and USACE prior to construction. During construction, compliance with construction boundaries.	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
No construction activities, vehicular access, equipment storage, stockpiling, or adverse human intrusion shall occur outside the work area and access roads.								
BIO-4 (b) All native riparian trees with a 4-inch diameter at breast height (dbh) or greater that must be removed in areas to be temporarily disturbed will be replaced at a 3:1 ratio. Following completion of the construction activities, the appropriate number of 1- to 5-gallon container plants will be transplanted to the site during the winter. The growth and survival of the replacement trees will meet the performance standards specified in BIO-5(e) and (f). In addition, the growth and survival of the planted trees will be monitored for 5 years in accordance with the methods and reporting procedures specified in Mitigation Measure BIO-5.		Newhall Co./DEP	Removal of riparian trees prior to construction. Planting to occur post construction. Stockpiling to occur prior to construction.	Y				



Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<p><b>3.6.4 – Wetlands and other Waters of the US Continued</b></p> <p>BIO-4 (c) Native vegetation within temporary construction areas will be stockpiled and, following completion of construction activities, mulched and spread over the temporary effect areas. Areas temporarily disturbed by construction activities will also be seeded annually, as needed, for up to 5 years following construction. These areas will be monitored annually for 5 years after construction to document colonization by weeds and native plants. Weeds will be removed by hand, an approved herbicide application, and/or by equipment. In the event that native plant cover does not reach 50 percent of the preconstruction native plant cover within 3 years, Newhall Land will revegetate the temporary construction area in accordance with the methods specified in BIO-5. Annual monitoring reports on the status of the natural recovery of temporarily disturbed areas will be submitted to USACE, USFWS, and CDFG as part of the Annual Mitigation Status Report (see BIO-5 (n)) and Mitigation Accounting Form (see BIO-5 (l)) to be submitted to USACE, USFWS, and CDFG by April 1 of each year.</p>	sec. 3.6.4 pg 3-44	Newhall Co./DEP	Post construction monitoring of colonization of weeds and native plants. Annual Mitigation Status Reports shall be submitted to USACE, USFWS, and CDFG.	Y				
<p>BIO-5 (a) The permanent removal of riparian habitats (EIS mapping units 1 through 4 and 5 through 8) in the riverbed and "upland impact zone" (as defined in the EIS/EIR) shall be replaced by creating riparian habitats of similar functions and values in the project area. Wetland restoration shall be in-kind and at a 1:1 replacement ratio (except as indicated in item (d)) for new habitat installed 2 years in advance of the removal of habitat at the construction site. If replacement habitat cannot be installed 2 years in advance of the project, the ratios listed below will apply. As described in item (d), lower replacement ratios may be appropriate if a USACE-approved hydrogeomorphic method (HGM) of assessing replacement ratios indicates lower ratios would ensure replacement of habitat values and functions.</p>		Newhall Co./DEP	Post Construction creation of riparian habitats.	Y				
<p>BIO-5 (b) Newhall Land shall mitigate for the removal of riparian habitats contiguous with riverbed riparian habitat that may occur outside the "upland impact zone." The replacement of these types of habitats would occur in association with the development of a project identified in the NRMP, and shall follow the procedures for the replacement in-channel habitats, as described in this mitigation measure.</p>		Newhall Co./DEP	Post construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<p><b>3.6.4 – Wetlands and other Waters of the US Continued</b></p> <p>BIO-5 (c) Creation of new riparian habitats shall occur at suitable sites in or adjacent to the watercourses included in the NRMF. Habitat restoration sites in the riverbed shall be located only in areas where the predominant habitats present are dry, open floodplain; and weedy restoration sites should be new riverbed areas created during the excavation of uplands for bank protection projects in the NRMF. Restoration sites may also occur at locations outside the riverbed where there are appropriate hydrologic conditions to create a self-sustaining riparian habitat and where upland and riparian habitat values are absent or very low. All sites shall contain suitable hydrological conditions and surrounding land uses to ensure a self-sustaining functioning riparian habitat. Candidate restoration sites shall be selected by Newhall Land and described in the Annual Mitigation Status Report that will be submitted to the USACE by April 1 of each year.</p> <p>Sites will be approved when restoration plans are submitted to the USACE and CDFG as part of the Verification Request Letters submitted for individual projects, or as part of the Annual Mitigation Status Report and Mitigation Accounting Form.</p>	sec. 3.6.4 pg 3-44	Newhall Co./DEP	Post construction	Y				
<p>BIO-5 (d) Replacement habitat shall be designed to replace the functions and values of the habitats being removed. At this time, the replacement habitat shall be restored in accordance with the acreage replacement ratios described in item (a). The replacement habitats shall have similar dominant trees and understory shrubs and herbs as the affected habitats. In addition, the replacement habitats shall be designed to replicate the density and structure of the affected habitats once the replacement habitats have reached mature status. Replacement ratios that are lower than those listed in item (a) may be used if a USACE approved HGM is applied in which habitat functions and values of both the affected habitat and the replacement habitat are quantified.</p>		Newhall Co./DEP	Design of replacement habitat during construction, implementation during post construction.	Y				
<p>BIO-5 (e) Average plant spacing shall be determined based on an analysis of habitats to be replaced. Typical plant spacing is presented below for use in developing willow-cottonwood woodland habitat as an example only. Newhall Land shall develop similar tree spacing specifications for other habitats to be restored, such as wet mixed scrub, dry willow scrub, cottonwood woodland, scalebroom scrub, and wet herbaceous. Plant spacing specifications shall be reviewed and approved by the USACE and CDFG when restoration plans are submitted to the USACE as part of the Verification Request Letters submitted to the USACE and CDFG for individual projects or as part of the Annual Mitigation Status Report and Mitigation Accounting Form.</p>		Newhall Co./RE	Post construction	Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.6.4 – Wetlands and other Waters of the US Continued</b> BIO-5 (f) Each tree and shrub species used in restoration shall have a minimum of 80 percent survival after 3 years and 70 percent survivorship after 5 years. Key indicator tree species to be used in the riparian restoration program shall achieve a minimum growth at the end of 3 years and 5 years as described above in item (e). Performance standards for cover shall be developed for each individual habitat type being created, based on the observed natural cover in undisturbed habitats in the project area. These standards shall be approved by the USACE and CDFG after they have reviewed the Annual Mitigation Status Report and Mitigation Accounting Form. Minimum growth, survivorship, and cover performance at the mitigation sites shall be measured based on random samples taken during years 3 and 5 at each individual mitigation site, or at other sampling intervals if the USACE hydrogeomorphic methodology is used by Newhall Land.	sec. 3.6.4 pg 3-44	Newhall Co./RE	Post construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
BIO-5 (g) If the minimum growth, survivorship, and/or cover are not achieved at the time of the 3- and 5-year evaluations, then Newhall Land shall be responsible for taking the appropriate corrective measures as to achieve the specified growth, survivorship, and/or cover criteria. Newhall Land shall be responsible for any costs incurred during the revegetation or in subsequent corrective measures. If acts of God (flood, fires, or drought) occur after the vegetation has met the 3-year criteria for growth, survival, and cover, Newhall Land will not be responsible for replanting damaged areas. If these events occur prior to the plants meeting the 3-year criteria, Newhall Land shall be responsible for replanting the area one time only.		Newhall Co./DEP	Post construction	Y				
BIO-5 (h) Newhall Land shall be responsible for weeding all restoration sites to prevent an infestation of non-native weeds for a period of 5 years after the initial habitat restoration, regardless of the success of the planted species. The cover of non-native plant species at the mitigation sites shall not exceed 10 percent at any time, within this 5-year period.		Newhall Co./RE	Post construction	Y				
BIO-5 (i) Temporary irrigation shall be installed, as necessary, for plant establishment. Irrigation shall continue as needed to meet the 3-to 5 year performance criteria regarding survivorship and growth. Irrigation shall be terminated in the winter to provide the least stress on plants. Removal of the irrigation system shall occur in conjunction with appropriate "weaning" procedures to minimize plant stress. Irrigation shall be terminated at the earliest opportunity after achieving the 5-year criteria.		Newhall Co./RE	Post construction	Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<p><b>3.6.4 - Wetlands and other Waters of the US Continued</b></p> <p>BIO-5 (j) and BIO-5 (k) As an alternative to the restoration of habitats to compensate for permanent removal of riparian habitats, Newhall Land (at the discretion of USACE and CDFG on a project-by-project basis) may remove exotic plant species from the project area in locations: (1) where there is an infestation of exotics such as Arundo, such that the natural habitat functions and values are substantially degraded and at risk, and where the cover of exotics is equal to or exceeds 25 percent of the ground or (2) other areas where exotic removal would be strategic in a watershed approach to weed management, as determined by the USACE and CDFG. The weed removal sites shall be selected in a logical manner to ensure that the eradication of weeds from specific sites will contribute to the overall control of exotics in the NRMPP watercourses. Removal areas shall be kept free of exotic plant species for five years after initial treatment. In addition, native riparian vegetation must become established through natural colonization and meet the revegetation plant cover goals</p> <p>In addition, native riparian vegetation must become established through natural colonization and meet the revegetation plant cover goals established by the USACE and CDFG under Item (f) after 5 years.</p> <p>BIO-5 (l) To provide an accurate and reliable accounting system for mitigation, Newhall Land shall file a Mitigation Accounting Form annually with USACE and CDFG by April 1. This form shall document the amount of vegetation planted during the past year, the status of all mitigation credits to date, and any credits subtracted by projects implemented during the past year. Newhall Land will keep detailed records and provide the Mitigation Accounting Form to the USACE and CDFG annually for review for the life of the permit, or until all credits have been used up for individual projects. The USACE and CDFG shall provide concurrence within 30 working days, including written verification for all restoration and weed removal sites that meet the specified performance criteria. If there are any questions regarding the accounting, a meeting will be scheduled among Newhall Land, the USACE, and the CDFG.</p>	sec. 3.6.4 pg 3-44	Newhall Co./DEP	Post construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<p>BIO-5 (m) If Newhall Land does not have sufficient mitigation credits for an upcoming project and is, therefore, planning to restore habitat or remove exotics concurrent with project implementation, project-specific plans for restoring habitats or for removing exotics from existing habitats shall be submitted to the USACE and CDFG as part of the Verification Request Letters for individual project approvals (as described in the alternative permitting process in the EIS/EIR).</p>		Newhall Co./DEP	Post construction	Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<p><b>3.6.4 – Wetlands and other Waters of the US Continued</b></p> <p>BIO-5 (n) An Annual Mitigation Status Report shall be submitted to the USACE and CDFG by April 1 of each year for the life of the permit, or until 5 years after all mitigation has been completed. This report shall include any required plans for plant spacing, locations of candidate restoration and weed removal sites, restoration methods, weed removal plans, and habitat restoration performance standards. For active habitat creation sites, the report shall include the survival, percent cover, and height of planted species; the number of species of plants replaced; an overview of the revegetation effort and its success in meeting performance criteria; the method used to assess these parameters; and photographs. For active exotic species removal sites, the report shall include an assessment of weed removal; a description of the relative cover of native vegetation, bare areas, and exotic vegetation; colonization by native plants; and photographs. The report shall also include the Mitigation Accounting Form (see BIO-5 (l) above), which outlines accounting information related to species planted or and mitigation credit remaining.</p>	sec. 3.6.4 pg 3-44	Newhall Co./DEP	Post construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<p>BIO-5 (o) The mitigation program shall incorporate applicable principles in the interagency "Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks" (FR60-58605-58614), to the extent feasible and appropriate, particularly the guidance on administration and accounting. Nothing in the 404 permit shall preclude Newhall Land from selling mitigation credits to other parties wishing to use the 404 permit for a project and/or maintenance activity included in the 404 permit.</p>		Newhall Co./DEP	Post construction	Y				
<p><b>3.7.4 – Vegetation</b></p> <p>The 404 Permit and 1603 Streambed Alteration Agreement for portions of the Santa Clara River have been identified in the NRMP. Where appropriate, the measures to minimize harm from the NRMP were used to ensure that this project is consistent with the 404 permit issued to Valencia Company in December 1998 and are referenced as described in the Mitigation Monitoring and Reporting Program, Valencia Company, Revised Natural River Management Plan. The Arundo removal option has been recommended over revegetation of the disturbed area because future roadway and/or flood control operation and maintenance activities performed consistent with the terms and conditions of the NRMP would periodically disturb the same section of the bank in the future.</p>		Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<p>Riparian Habitat Mitigation: The construction of the proposed project would impact 4.12 hectares (10.17 acres) of Fremont cottonwood riparian forest, all of which is considered jurisdictional by the USACE and CDFG. Implementation of a riparian habitat mitigation program would be as follows:</p>		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.7.4 – Vegetation Continued</b> The project applicant will remove exotic plant species from the project area in locations: (1) where there is an infestation of exotics such as Arundo that have substantially degraded and placed at risk the natural habitat functions and values, and where the cover of exotics is equal to or exceeds 25 percent of the ground or (2) other areas where exotic removal would be effective in a watershed approach to weed management, as determined by USACE and CDFG. The weed-removal sites shall be selected to ensure that the eradication of weeds from specific sites will contribute to the overall control of exotics in the NRMP watercourses. Removal areas shall be kept free of exotic plant species for 5 years after initial treatment.		Newhall Co./RE		Y				
The removal program shall utilize methods and procedures approved by the USACE and CDFG to remove exotics including, but not limited to, mechanical equipment in specific areas, hand-cutting, and the application of herbicides to stumps. Exotic plant species removal credit will be given as shown below (except when weed removal is used to mitigate for loss of habitat for sensitive riparian bird species where the USACE and CDFG may require higher ratios). Weed eradication plans shall be submitted to the USACE and CDFG for approval as part of the Verification Request Letter submitted to the USACE and CDFG for the proposed project. The plan shall describe the proposed methods and the conditions of the site to be treated. A monitoring program shall be implemented to document the effectiveness of the removal and the natural establishment of native vegetation in the weeded area. The Arundo removal program will be operated through Newhall Land. Newhall Land will be responsible for monitoring the mitigation program and reporting to the resource agencies to keep them informed of the status of the mitigation program.		Newhall Co./RE		Y				
Reports to resource agencies will include a Mitigation Accounting Form filed annually, and an Annual Mitigation Status Report.								
Other vegetation types present within the impact area other than riparian vegetation include disturbed/ruderal, ornamental, agriculture, and developed. These 20.77 hectares (51.33 acres) represent areas of low biological value and measures to minimize impacts to these areas are not biologically warranted.		Newhall Co./RE		Y				
<b>3.8.4 Wildlife</b> BIO-1 (a) Construction activities shall be limited to the following areas of temporary disturbance: (1) an 85-foot wide zone that extends into the river from the base of the rip-rap or gunite bank protection where it intercepts the river bottom; and (2) 20-foot wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the VRL that are submitted to the CDFG and ACOE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the post-construction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or substantial human intrusion shall occur outside the work area and access roads.		Newhall Co./RE	During Construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.8.4 Wildlife Continued</b>								
BIO-1 (b) Equipment shall not be operated in areas of ponded or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the ACOE. Approval shall be acquired by submitting a request to CDFG and ACOE no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site, or along access roads. This request may be included in the Verification Request Letter that is submitted to the CDFG and ACOE.		Newhall Co./RE	During Construction	Y				
BIO-1 (c) Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) the construction site contains flowing or ponded water that drains off-site into the undisturbed streamflow or ponds, as allowed for certain areas under item (a) above; or (2) streamflow is diverted around the construction site, but the 'work is occurring in the period November 1st through April 15th when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy river bottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to pre-construction grades and substrate conditions within 30 days after construction has ended at that particular site. The location and design of sediment		Newhall Co./RE	During Construction	Y				
The location and design of sediment retention ponds shall be included in the Storm Water Pollution Prevention Plan (SWPPP) prepared by the project applicant for all construction activities that require a NPDES General Construction Activity Storm Water Permit.								
BIO-1 (d) Installation of structures shall not impair water flow. Bottoms of temporary culverts shall be placed at or below channel grade. Bottoms of permanent culverts shall be placed below channel grade.		Newhall Co./RE	During Construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
BIO-1 (e) Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1st through April 15th.		Newhall Co./RE		Y				
BIO-1 (f) Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the 404 permit or 1603 agreement.		Newhall Co./RE		Y				
BIO-1 (g) Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.		Newhall Co./RE		Y				
BIO-1 (h) If a stream channel has been altered, the low flow channel shall be returned as nearly as practical to pre-project topographic conditions.		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.8.4 Wildlife Continued</b>								
BIO-1 (i) Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.		Newhall Co./RE		Y				
BIO-1 (j) Staging/storage areas for construction equipment and materials shall be located outside of the ordinary high water mark.		Newhall Co./RE		Y				
BIO-1 (k) Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.		Newhall Co./RE		Y				
BIO-1 (l) Stationary equipment such as motors, pumps, generators, and welders will not be located within the riverbed construction zone.		Newhall Co./RE		Y				
BIO-1 (m) The project applicant shall use best efforts to ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, the Santa Clarita River or Castaic Creek. When construction operations are completed, any excess materials or debris shall be removed from the work area.		Newhall Co./RE		Y				
BIO-1 (n) No equipment maintenance shall be conducted within 50 feet (15 meters) of a watercourse.		Newhall Co./RE		Y				
BIO-2 (a) Prior to initiating construction, all construction sites and access roads within the riverbed, as well as all riverbed areas within 91 meters (300 feet) of the construction site and access road, shall be inspected by a qualified biologist for the presence of the unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. The USACE and the CDFG shall be notified of the inspection and shall have the option of attending. If either agency is not represented, the biologist shall file a written report of the inspection with the agency not in attendance within 14 days of the survey and no sooner than 30 days prior to any construction work in the riverbed.		Newhall Co./RE	Prior to and during	N	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
BIO-2 (b) Construction work areas and access roads shall be cleared of the species listed above immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the USACE and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas. A plan to relocate these species shall be submitted to the USACE and CDFG for review and approval no later than 30 days prior to construction. This plan can also be included in the Verification Request Letters submitted to the USACE and CDFG for individual project approvals. Under no circumstances shall the unarmored three-spine stickleback be collected or relocated, unless USFWS personnel or their agents implement this measure.		Newhall Co./RE		Y				



Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.8.4 Wildlife Continued</b>								
BIO-2 (c) All stream flows traversing a construction site or temporary access road shall be diverted around the site and under access roads (using temporary culverts or crossings that allow fish passage). A temporary diversion channel shall be constructed using the least-damaging method possible, such as blading a narrow pilot channel through an open, sandy river bottom. The removal of wetland and riparian vegetation to construct the channel shall be avoided to the greatest extent feasible. The temporary channel shall be connected to a natural channel downstream of the construction site prior to diverting the stream. The integrity of the channel and diversion shall be maintained throughout the construction period. The original stream channel alignment shall be restored after construction. A provided suitable conditions are present at the work site after construction. A temporary stream diversion plan shall be included in the Verification Request Letters submitted to the USACE and CDFG for individual project approvals.		Newhall Co./RE		Y				
BIO-2 (d) A qualified biologist shall be present when any stream diversion takes place, and shall patrol the areas both within, upstream, and downstream of the work area to rescue any species stranded by the diversion of the stream water. Species that are collected shall be relocated to suitable downstream of the work area.		Newhall Co./RE		Y				
BIO-3 (a) The removal of any riparian habitat suitable for breeding, nesting, foraging, and temporary usage during migration by the above species from the project footprint (i.e., boundaries of temporary and permanent impacts) shall be mitigated through the removal of exotic species from an area of existing similar habitat. The requirement for removing exotic species from existing habitat shall follow the replacement ratios and timing requirements in BIO-1. Existing habitat to be weeded as mitigation for the loss of riparian habitat suitable for the above species must be located adjacent to habitat occupied by the above species and infested with invasive weeds. If weed removal is used for mitigation for sensitive-species habitat replacement, the weed removal must result in habitat conditions suitable for the affected sensitive species. The final exotic removal plans for impacts to these types of habitats shall be reviewed by the USACE and CDFG as described in BIO-1.		Newhall Co./RE	Preconstruction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
BIO-3 (b) Beginning 30 or more days prior to the removal of any suitable riparian habitat that will occur during the riparian bird breeding and nesting season of March 15 through August 1, the project applicant shall arrange for weekly bird surveys to detect the above riparian bird species in the habitats to be removed, and any other such habitat within 91 meters (300 feet) of the construction work areas. The surveys shall be conducted by a qualified biologist using CDFG and/or USFWS survey protocols. The surveys shall continue on a weekly basis, with the last survey being conducted no more than 7 days prior to the initiation of construction work.		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<p><b>3.8.4 Wildlife Continued</b></p> <p>In the event that one of the species listed above is observed in the habitats to be removed or in other habitats within 91 meters (300 feet) of the construction work areas, the project applicant has the option of delaying all construction work in the suitable habitat or within 91 meters (300 feet) of the suitable habitat until after August 1, or continuing the surveys to locate any nests. If an active nest is found, clearing and construction within 91 meters (300 feet) of the nest shall be postponed until the nest is vacated and juveniles have fledged, and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area.</p>		Newhall Co./RE		Y				
<p>Locating and determining the status of a nest shall be performed in accordance with approved procedures by the USFWS and CDFG, including the possible need for an endangered species permit to accurately observe and monitor a nest of a listed or proposed species. The USACE and CDFG shall be notified at least 14 days prior to the first scheduled survey and shall have the option of attending. Results of the surveys, including surveys to locate nests, shall be provided to the USACE and CDFG no later than 5 days prior to construction. The results shall include a description of any nests located and measures to be implemented to avoid nest sites. No surveys will be necessary if the work is completed outside the riparian bird breeding and nesting season (i.e., from August 1 through March 15).</p>		Newhall Co./RE		Y				
<p>BIO-3 (c) The project shall use best efforts to restrict public access into the bottom of the Santa Clara River adjacent to the project site that could adversely affect sensitive fish and wildlife resources, particularly listed or proposed species. These actions shall include, among other things, posting signs identifying an ecologically sensitive area, promoting public education and awareness of such ecological sensitivities, coordinating with the City of Santa Clarita on the placement of trails and public access routes to and along the river to avoid conflicts with sensitive biological resources, and the maintenance of fences and barricades to prevent unauthorized or unrestricted access to the river bottom.</p>		Newhall Co./RE	Prior to and during construction	N	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<p>BIO-20 Thirty days prior to construction activities, a qualified biologist shall conduct a survey to determine if the burrowing owl is present at the site, and the nesting status of the individuals at the site. If nesting is not occurring, construction work can proceed after any owls have been evacuated from the site using CDFG-approved burrow closure procedures. If nesting is occurring, construction work shall be delayed until fledglings have left the nest. Preconstruction surveys shall be conducted only in areas dominated by field crops and grassland. Results of the surveys and relocation efforts shall be provided to CDFG.</p>		Newhall Co./RE	Preconstruction	N				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.8.4 Wildlife Continued</b> BIO-21 Thirty days prior to construction activities in all riparian areas within or adjacent to the riverbed, a qualified biologist shall conduct a survey to determine if any tri-colored blackbirds are present at the site, and the status of nesting. If no nesting is occurring, construction work can proceed. If nesting is occurring, construction work shall be delayed until fledglings have left the nest. Results of the survey shall be provided to CDFG. If a riparian or wetland habitat used by blackbirds for nesting is to be removed, it shall be replaced according to the procedures in the NRMP.		Newhall Co./RE	Post construction	Y				
BIO-22 Thirty days prior to construction activities in all riparian areas within or adjacent to the riverbed, a qualified biologist shall conduct a survey to determine if any of the following raptors are nesting in large trees: long-eared owl, white-tailed kite, northern harrier, and Cooper's hawk. If nesting is not occurring, construction work can proceed. If an active nest is present, construction work shall be delayed until fledglings have left the nest. Results of the surveys and relocation efforts shall be provided to CDFG. If an area of riparian woodland used by raptors for nesting is to be removed, it shall be replaced according to the procedures and replacement ratios for such woodlands described in Mitigation Measure BIO-1.		Newhall Co./RE	Post construction	Y				
<b>3.9.4 -Special Status Species - Aquatic Species Protection</b> Measures to protect the unarmored threespine stickleback and several other special-status fish and aquatic species include the following measures (among others): (1) preconstruction surveys and temporary fish relocation by the USFWS or its agents; (2) restoration of adversely affected streams after construction; (3) diversion of streamflow around active construction sites in the river; and (4) use of sedimentation retention ponds, where needed. If during preconstruction surveys to identify special status fish species it is determined that steelhead are present in the area then an informal consultation will be made with the NOAA concerning this find regarding the potential impacts to the steelhead trout.	sec.3.9.4 pg. 3-104	Newhall Co./RE	Preconstruction/During Construction		Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<b>3.9.4 -Special Status Species - Bird Species Protection</b> Measures to avoid adverse impacts to the least Bell's vireo and southwestern willow flycatcher and other special-status bird species include the following measures: (1) conduct preconstruction surveys to determine presence or absence, (2) prohibit construction within 91 meters (300 feet) of an active nest, (3) discourage human and pet entry into sensitive habitat areas, and (4) replace vireo habitat that must be removed (consistent with the ratios recommended in the Riparian Habitat Mitigation Program of the NRMP).	sec.3.9.4 pg. 3-104	Newhall Co./RE	Preconstruction/During Construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<b>3.9.4 -Special Status Species - Restoration of Temporarily Disturbed Areas</b> After the installation of the bank protection, the riverbed would be restored to its original elevation. Salvaged native vegetative debris would be spread out over the disturbed area to allow seeds and propagules to become established naturally. In addition, large trees would be replaced with 1- and 5-gallon native container stock at a 3:1 ratio.	sec.3.9.4 pg. 3-104	Newhall Co./RE	Post construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.9.4 -Special Status Species - Riparian Habitat Mitigation Program</b> The Riparian Habitat Mitigation Program is designed primarily to create new riparian habitat that would mitigate for the loss of riparian habitat. The habitat acreage replacement ratio would be 1:1 if the replacement occurred 2 years prior to project construction, or would be 2:1 or 3:1 (depending upon habitat values) if the habitat replacement were implemented concurrently with project construction. Newhall Land would have the option of removing the invasive giant reed from infested riparian habitat with prior approval from the USACE or CDFG. Riparian habitat would be created in selected, appropriate bare riverbed areas that exhibit suitable hydrology (not too dry and not within a scour zone). Riparian restoration and weeding success would be monitored annually, with specific performance criteria to be evaluated at 3 and 5 years after implementation.	sec.3.9.4 pg. 3-105	Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<b>3.9.4 -Special Status Species - Upland Habitat Mitigation Program</b> Measures to protect nonlisted, but otherwise considered special-status upland species and their habitat include preconstruction surveys to locate and remove individuals from construction sites and replacement of such habitats in the upland habitat buffer zone. Habitat remaining immediately adjacent to the proposed project would be considered disturbed by the increased noise levels by the proposed project (primarily pile driving). The wildlife within these noise disturbance areas would incur an increase level of stress (inability to communicate effectively/efficiently during breeding season, masking mating/warning vocalizations, etc.). Although these noise impacts would have some potential to contribute to an incremental loss of wildlife habitat, the impact would not reduce the local wildlife population. Using simple divergence over distance (6-dBA reduction per doubling of distance), resulting estimated pile driver noise level would be 80 dBA at 700ft. This estimate is for an impact pile driver. Depending on soil conditions in the area, alternative pile driving methods, such as vibratory pile driving, may be practical, which would result in a reduction of 5 dBA in noise levels (75 dBA). Additional noise reduction could be realized through shielding provided either by natural terrain or by placement of temporary barriers or excess soil generated through construction between the noise source(s) and receiving areas. Construction activity will be limited to normal construction time window for the area (7:00 AM to 7:00 PM weekdays and 8:00 AM to 6:00 PM Saturdays).	sec.3.9.4 pg. 3-105	Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<b>3.9.4 -Special Status Species - Water Quality Protection</b> The Newhall Land Company Drainage Plan will ensure that adverse water quality impacts will not occur from construction site erosion and municipal stormwater. The design and implementation of the water quality measures must meet current standards established by the RWQCB, and cannot adversely impact waters of the United States.	sec.3.9.4 pg. 3-106	Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.9.4 -Special Status Species – Environmental Protection and Maintenance</b>	sec.3.9.4 pg. 3-106							
The river maintenance procedures have been designed to avoid impacts on Endangered species and minimize impacts on other riparian resources through the use of preconstruction surveys, limitations on areas where work can be performed, relocation of special-status species from work areas, and seasonal restrictions on work near Endangered species habitats.		Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
The NRMP will have a beneficial impact by reducing the project-by-project authorizations by the USACE, which will result in more efficient use of staff resources. It will also provide long-term, agreed-upon mitigation and monitoring standards and a conservation easement (in favor of CDFG) for a 485.6-hectare (1,200-acre) area involving approximately 20.9 km (13 miles) of riverbed property. In addition, it will reduce in-stream channeling and maintenance activities by LACDPW as compared to the level that would occur if such activities were undertaken in the traditional fashion of clearing vegetation to increase capacity.		Newhall Co./RE		Y				
An EIR/EIS was prepared and certified for the NRMP, which programmatically addressed the impacts expected to result from the Commerce Center Drive at SR 126 project. Section 7 consultation occurred with, and a Biological Opinion was issued by the USFW during the ACOE permitting component of the NRMP. If the implementation of this project is consistent with the previous analysis as well as the terms and conditions of issued entitlements and permits issued for the NRMO, then Section 7 consultation with the USFW need not be reiterated.		Newhall Co./RE		Y				
The USFWS considers the Santa Clara population of the Santa Ana Sucker to be an introduced population. Therefore, the USFWS does not include the Santa Clara population with the other Threatened populations in the Los Angeles River, San Gabriel River, and Santa Ana River drainage systems (USFWS, April 12, 2000). Recent court decisions have resulted in the establishment of "critical habitat" for this species; however, this site is not located within or proximal to an area designated as "critical habitat" for this species.		Newhall Co./RE		Y				
The USFWS issued a Biological Opinion (BO) on November 27, 1998, that concluded that the NRMP is not likely to jeopardize the continued existence of the stickleback, vireo, or flycatcher, or adversely modify critical habitat designated for the vireo or proposed for the stickleback. Another BO was issued on November 15, 2002, that concluded that the NRMP would not likely jeopardize the continued existence of the arroyo toad.		Newhall Co./RE		Y				
- Four pre-construction surveys (two day surveys, two night surveys) for the arroyo toad will be required within 48 hours prior to construction. These surveys must be conducted by a biologist approved by the USFWS.		Newhall Co./RE		Y				
- An education program for construction workers on measures to protect the arroyo toad will be required.		Newhall Co./RE		Y				
- Protective measures described in the NRMP (original mitigation measures) will be implemented consistently. The project biologist will have the authority to stop work if an arroyo toad may be harmed.		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.9.4 –Special Status Species – Environmental Protection and Maintenance</b> <b>Continued</b>	sec.3.9.4 pg. 3-106							
- Sensitive areas will be marked and avoided to reduce the potential for take of arroyo loads associated with proposed restoration efforts.  Any arroyo loads killed during project activities must be reported to the USFWS by telephone and in writing within 3 working days of the finding.		Newhall Co./RE		Y				
It is anticipated that subsequent BOs would be issued, as appropriate, in the event that NRMP required an amendment to include other species not covered in the NRMP as approved. The 404 permit and the NRMP will be effective through December 2018.		Newhall Co./RE		Y				
The proposed project has the potential to adversely impact a small population (<40 individuals) of the CNPS List 4 plant Peirson's morning glory. Necessary mitigation would occur consistent with NRMP BIO-4, or NRMP BIO-5 mentioned in Sections 3.6.5 and 3.7.5, as appropriate. Mitigation may include surveys for special status plant species prior to construction. If any of these species is present in the study area, then appropriate measures to minimize harm shall be developed. During the spring prior to grubbing or grading (or as determined by the Project Biologist), the limits of individual populations of Peirson's morning glory to be impacted shall be flagged and individual plants shall be marked with pin flags to facilitate the locating of individual plants. Prior to construction, seeds shall be collected from Peirson's morning glory plants from approximately May through June from ripened seed heads, for later propagation, by personnel experienced in collection of native seed and native plant propagation. This seed shall be stored by a certified seed bank. An appropriate site		Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
within the project right-of-way shall be identified for the seeding of this species by the Project Biologist. The site shall have similar soils, slope, aspect, and microhabitat characteristics as the site with occupied Peirson's morning glory to support this species. Other appropriate measures to minimize harm may include relocation or purchase of offsite populations for inclusion to adjacent open-space areas.								

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.9.4 – Special Status Species – Environmental Protection and Maintenance</b> <b>Continued</b> The proposed project would result in potential direct impacts on several special status wildlife species that may occur within the Fremont cottonwood riparian forest and uplands of the proposed project footprint. These species may include, but are not limited to, the arroyo toad, two-striped garter snake, southwestern pond turtle, silvery legless lizard, and San Diego desert woodrat. Implementation of the measures required by the NRMMP previously referenced or listed in Section 3.8.5 to minimize harm. Specifically these include NRMMP mitigation measures BIO-2 (for potential impacts to unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle; BIO-3 (for potential impacts to least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, and potentially foraging bats); BIO-4 (for restoration of temporarily disturbed habitats); BIO-5 (for permanent impacts to riparian habitat); BIO-20 (for burrowing owl); BIO-21 (for tricolored blackbirds); and BIO-22 (for nesting raptors).	sec.3.9.4 pg. 3-106	Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<b>3.10.4 – Floodplain – Construction Measures</b> Installation of structures shall not impair water flow. Bottoms of permanent culverts shall be placed below channel grade.		Newhall Co./RE	During construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
If a stream channel has been altered, the low-flow channel shall be returned as nearly as practical to preproject topographic conditions.		Newhall Co./RE		Y				
a. Construction activities shall be limited to the following areas of temporary disturbance: a 25.9-meter (85-foot) zone that extends into the river from the base of the riprap or gunite bank protection where it intercepts the river bottom, 6.09 meter (20.3-foot) wide temporary access ramps and roads to reach the construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the VRL that is submitted to the CDFG and USACE. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the postconstruction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or substantial human intrusion shall occur outside the work area and access roads.		Newhall Co./RE	During construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
b. Equipment shall not be operated in areas of ponding or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the USACE. Approval shall be acquired by submitting a request to CDFG and USACE no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site, or along access roads. This request may be included in the VRL that is submitted to the CDFG and USACE.		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<p><b>3.10.4 – Floodplain – Construction Measures Continued</b></p> <p>c. Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) when the construction site contains flowing or ponded water that drains offsite into the undisturbed streamflow or ponds, as allowed for certain areas under item (a) above or (2) when streamflow is diverted around the construction site, but the work is occurring in the period from November 1 through April 15 when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy river bottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to preconstruction grades and substrate conditions within 30 days after construction has ended at that particular site.</p> <p>The location and design of sediment retention ponds shall be included in the SWPPP prepared by the project applicant for all construction activities that require a NPDES General Construction Activity Storm Water Permit.</p>		Newhall Co./RE		Y				
d. Installation of structures shall not impair water flow. Bottoms of temporary culverts shall be placed at or below channel grade.		Newhall Co./RE		Y				
e. Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1 through April 15.		Newhall Co./RE	During construction/post construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
f. Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high-water mark before such flows occur.		Newhall Co./RE		Y				
g. Staging/storage areas for construction equipment and materials shall be located outside the high-water mark.		Newhall Co./RE		Y				
h. Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life.		Newhall Co./RE		Y				
i. Stationary equipment such as motors, pumps, generators, and welders will not be located within the riverbed construction zone.		Newhall Co./RE		Y				
j. The project applicant shall use best efforts to ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, the Santa Clara River or Castaic Creek. When construction operations are completed, any excess materials or debris shall be removed from the work area and properly disposed.		Newhall Co./RE		Y				
k. No equipment maintenance or fueling shall be conducted within 15.2 meters (50 feet) of a watercourse.		Newhall Co./RE		Y				



Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.15.4 – Community Impacts and Environmental Justice</b>	sec.3.15.4 pg. 3-130							
CI-1 For right-of-way and acquisition of the 15 recreational vehicle spaces impacts, relocation assistance payments and counseling will be provided to persons and businesses in accordance with the Federal Uniform Relocation Assistance and Real Properties acquisition Policies Act (as amended) and the California Government Code Chapter 16, Section 7260 et seq. (State Uniform Relocation Act) to ensure adequate relocation and a decent, safe, and sanitary home for displaced residents. All eligible displacees will be entitled to moving expenses, and all benefits and services will be provided equitable to all residential and business relocatees without regard to race, color, religion, age, national origins and disability as specified under Title VI of the Civil Rights Act of 1964.		Newhall Co./RE	Preconstruction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
<b>3.16.4 – Utilities/ Emergency Services</b>	sec.3.16.4 pg. 3-131			Y				
• Real-time communication with motorists, including changeable message signs and highway advisory radio announcements to alert motorists of upcoming construction impacts, detours, and travel conditions		Newhall Co./RE	During construction	Y				
• Provisions for tow-truck service during peak hours to remove stalled vehicles within the construction zone		Newhall Co./RE		Y				
Additionally, construction activities along SR 126 and at the SR 126/Commerce Center Drive intersection will be coordinated with other construction activities that will be taking place nearby at around the same time. The TMP will be closely coordinated with the City, the County, Newhall Land, and the public to ensure that traffic along SR 126 and the surrounding streets remains at an acceptable level of operation during construction.		Newhall Co./RE		Y				
<b>3.17.4 – Traffic Transportation/ Pedestrian and Bicycle Facilities</b>	sec.3.17.4 pg. 3-141			Y				
To minimize traffic delays as a result of construction of the Build Alternative, a TMP will be developed during the design phase of the project for review and approval from Caltrans District 7.		Newhall Co./RE	Preconstruction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident biologist during construction.			
The objective of the TMP is to mitigate the impact construction activities will have on freeway and roadway users, and it may include the following strategies:		Newhall Co./RE		Y				
• A public awareness campaign prior to and during construction		Newhall Co./RE		Y				
• Real-time communication with motorists, including changeable message signs and highway advisory radio announcements to alert motorists of upcoming construction impacts, detours, and travel conditions		Newhall Co./RE		Y				
• Promotion of ridesharing and public transit		Newhall Co./RE		Y				
• Identification of park-and-ride and other public transit modes to encourage use of ridesharing and public transit		Newhall Co./RE		Y				
• Provisions for tow-truck service during peak hours to remove stalled vehicles within the construction zone		Newhall Co./RE		Y				

Task and Brief Description	Reference	Responsible Party	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed	Remarks	Env. Compliance
<b>3.17.4 – Traffic Transportation/ Pedestrian and Bicycle Facilities Continued</b>  The TMP divides the project into five stages, with sub-stages detailing traffic handling for short periods. All five stages maintains existing access, but may reduce capacity by shifting traffic to one side of the roadway or the other. Additional access will be provided to the Travel Village and a temporary westbound on/off ramp to Commerce Center Drive will be provided during construction to increase accessibility in the area. Additionally, throughout the time construction is being done, signs will be placed in the project area that identify that local businesses are open during the work.	sec.3.17.4 pg. 3-141	Newhall Co./RE		Y				
Construction activities along SR 126 and at the SR 126/Commerce Center Drive intersection will be coordinated with other construction activities that will be taking place nearby at around the same time. The I-5/SR 126, Hasley Canyon Road and Magic Mountain Parkway interchanges, and the I-5 bridge of the Santa Clara River will also be under construction.		Newhall Co./RE		Y				
The TMP will be closely coordinated with the City, the County, Newhall Land, and the public to ensure that traffic along SR 126 and the surrounding streets remains at an acceptable level of operation during construction.		Newhall Co./RE		Y				
Additionally, bicycle traffic will benefit from planned bicycle lanes, included in designs for Commerce Center Drive and Henry Mayo Drive. These will be connected to existing and future lanes on either side of the interchange project.		Newhall Co./RE		Y				
<b>3.20.4 – Archaeological Resources</b>  The project area is not considered as having a high potential for archaeological or other cultural resources therefore, no archeological or Native American monitor will be required on-site during any ground disturbing activities. If cultural materials appear during construction, work will stop in the immediate area. The Caltrans cultural resource staff will be notified upon such discovery, and appropriate measures will be performed to mitigate impacts to the resource. Contract specifications will identify procedures for encountering cultural resources, including human remains. Work may only resume with approval from the Caltrans archaeologist. If human remains are exposed during construction, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition, pursuant to Public Resource Code 5097.98. Upon such discovery, the Caltrans Division of Environmental Planning shall be notified immediately. Prior to resuming work, the appropriate measures to minimize	sec.3.20.4 pg. 3-148	Newhall Co./RE	Prior to and during construction	Y	Incorporation of required elements into final plans and specifications, and sign-off by resident engineer during construction. Monitoring coordinated in conjunction with the Office of Environmental Planning.			
harm will be implemented and coordinated with through the Caltrans Division of Environmental Planning.								



## **Appendix D**    USDA Farmland Conversion Impact Rating

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Department of  
Agriculture

Resources  
Conservation  
Service

Lancaster, CA 93534  
Phone: (661) 945-2604  
Fax : (661) 942-5503

---

7/28/00

Daniela Pappada  
CH2M Hill  
3 Hutton Centre Drive Ste. 200  
Santa Ana, CA 92707

Re: SR 126/Commerce Center Drive Interchange Project-Farmland Conversion Impact

Dear Ms. Pappada:

Enclosed is form AD 1006 Farmland Conversion Impact Rating review per your requested.

Sincerely,  
Paul Nguyen  
Soil Conservationist

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The U.S. Department of Agriculture (USDA The U.S. Department) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-7600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

# FARMLAND CONVERSION IMPACT RATING

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request <b>7/5/00</b>			
Name Of Project <b>SR-126/Commerce Center Drive Interchange Proj.</b>		Federal Agency Involved <b>Federal Highway Administration</b>			
Proposed Land Use <b>Highway Right-of-way</b>		County And State <b>Los Angeles County, California</b>			
<b>PART II (To be completed by NRCS)</b>		Date Request Received By NRCS <b>7/20/00</b>			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated <b>16817</b>	Average Farm Size <b>127</b>
Major Crop(s) <b>Row Crops</b>	Farmable Land In Govt. Jurisdiction Acres: <b>53163</b> % <b>2</b>	Amount Of Farmland As Defined in FPPA Acres: <b>56883</b> % <b>2</b>			
Name Of Land Evaluation System Used <b>CA-Storie System</b>	Name Of Local Site Assessment System <b>None</b>	Date Land Evaluation Returned By NRCS <b>7/28/00</b>			
<b>PART III (To be completed by Federal Agency)</b>		<b>Alternative Site Rating</b>			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		20.0			
B. Total Acres To Be Converted Indirectly		23.2			
C. Total Acres In Site		43.2	0.0	0.0	0.0
<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>					
A. Total Acres Prime And Unique Farmland		8.7			
B. Total Acres Statewide And Local Important Farmland		3.4			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value					
<b>PART V (To be completed by NRCS) Land Evaluation Criterion</b> Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		82	0	0	0
<b>PART VI (To be completed by Federal Agency)</b> Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))		Maximum Points			
1. Area In Nonurban Use	15	2			
2. Perimeter In Nonurban Use	10	2			
3. Percent Of Site Being Farmed	20	0			
4. Protection Provided By State And Local Government	20	0			
5. Distance From Urban Builtup Area	15	0			
6. Distance To Urban Support Services	15	0			
7. Size Of Present Farm Unit Compared To Average	10	0			
8. Creation Of Nonfarmable Farmland	10	0			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	0			
11. Effects Of Conversion On Farm Support Services	10	0			
12. Compatibility With Existing Agricultural Use	10	0			
<b>TOTAL SITE ASSESSMENT POINTS</b>	160	9	0	0	0
<b>PART VII (To be completed by Federal Agency)</b>					
Relative Value Of Farmland (From Part V)		100	82	0	0
Total Site Assessment (From Part VI above or a local site assessment)		160	9	0	0
<b>TOTAL POINTS (Total of above 2 lines)</b>		260	91	0	0
Site Selected: <b>A</b>	Date Of Selection <b>9/13/00</b>	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Reason For Selection:					

## STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1 - Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 - Originator will send copies A, B and C together with maps indicating locations of site(s), to the Natural Resources Conservation Service (NRCS) local field office and retain copy D for their files. (Note: NRCS has a field office in most counties in the U.S. The field office is usually located in the county seat. A list of field office locations are available from the NRCS State Conservationist in each state).

Step 3 - NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step 4 - In cases where farmland covered by the FPPA will be converted by the proposed project, NRCS field offices will complete Parts II, IV and V of the form.

Step 5 - NRCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for NRCS records).

Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

## INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

**Part I:** In completing the "County And State" questions list all the local governments that are responsible for local land controls where site(s) are to be evaluated.

**Part III:** In completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

**Part VI:** Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5 (b) of CFR. In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will, be weighed zero, however, criterion #8 will be weighed a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and alternative Site "A" is rated 180 points:

Total points assigned Site A =  $180 \times 160 = 144$  points for Site "A."

Maximum points possible 200





## **Appendix E**   Advertisements/Letters

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**Proof of Publication**  
(2015.5 C.C.P.)

STATE OF CALIFORNIA,  
COUNTY OF LOS ANGELES

I am a citizen of the United States, and a resident of the county aforesaid; I am over the age of eighteen years; and I am not a party to or interested in the notice published. I am the chief legal advertising clerk of the publisher of the

NEWHALL SIGNAL & SAUGUS ENTERPRISE

a newspaper of general circulation, printed and

published DAILY

in the City of SANTA CLARITA

County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California,

under the date of MARCH 25, 19 88

Case Number NVC15880

that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

10/21

all in the year 20 03

I certify (or declare) under penalty of perjury that the foregoing is true and correct

Dated at Santa Clarita

California, this 21 day of October 20 03

[Signature]  
Signature

California Newspaper Service Bureau

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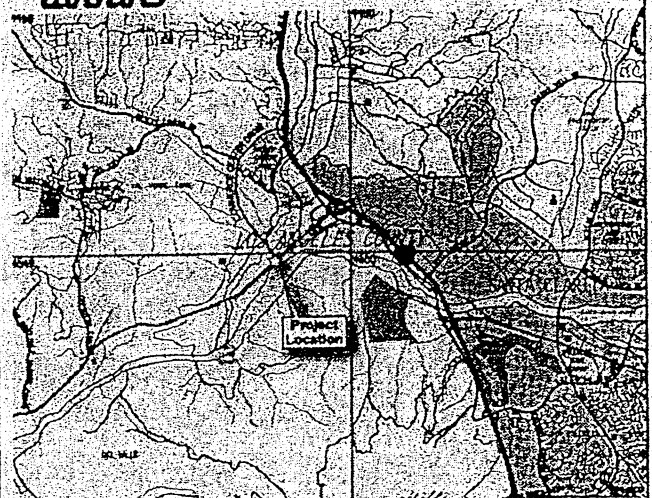
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This Space is for the County Clerk's Filing Stamp



**ENVIRONMENTAL  
SCOPING NOTICE**

Notice of Initiation of  
Environmental Studies



**WHAT'S BEING PLANNED?**

The California Department of Transportation (Caltrans), District 7, in cooperation with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall), is proposing to construct a grade-separated interchange at the existing SR 126 and Commerce Center Drive intersection, with a new overpass structure for Commerce Center Drive over SR 126. The new interchange would provide full movements for traffic between Commerce Center Drive and SR 126.

**WHY THIS NOTICE?**

Caltrans is formally initiating studies for this project. Based on preliminary environmental studies, the resulting environmental document is anticipated to be an Initial Study/Environmental Assessment (IS/EA) leading to a Negative Declaration/Findings of No Significant Impact (ND/FONSI).

**YOUR INVOLVEMENT**

This scoping notice is to solicit comments from public agencies, private entities, and interested individuals regarding potential social, economic, and environmental issues related to the project. The scoping notice also ensures that all parties are involved early in the environmental planning process.

**CONTACT**

Please send your written comments by November 17, 2003, to:

Mr. Ronald Kosinski, Chief  
Division of Environmental Planning California Department of  
Transportation  
120 S. Spring Street  
Los Angeles, CA 90012  
Email: Marieka.Schrader@dot.ca.gov

Be sure to indicate the name and address of a contact person in your organization in your letter. TDD users may contact the California Relay Service TDD line at 1-800-735-2929.

*Thank you for your interest!*

CH2M HILL

HUTTON CENTER DRIVE SUITE 200

SANTA ANNA, CA 92707

State of California, }

County of Los Angeles

Michael Alvarez

of said

County and State being duly sworn, says:

That he is and at all times herein mentioned was a citizen of the United States, over 21 years of age, and not a party to nor interested in the above entitled matter; that he is a principal clerk of the printers and publishers of the **LOS ANGELES TIMES** a newspaper printed and published daily in the said Los Angeles County; that the

Legal Notice

in the above entitled matter of which the annexed is a printed copy, was published in said newspaper **LOS ANGELES TIMES**

202 West First ST.

Los Angeles, CA. 90012

on the following days, to-wit:

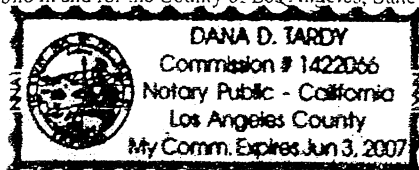
OCTOBER 21, 2003

Subscribed and sworn to before

me, this 29<sup>th</sup> day of

October 2003

Notary Public in and for the County of Los Angeles, State of California



# Affidavit of Publication

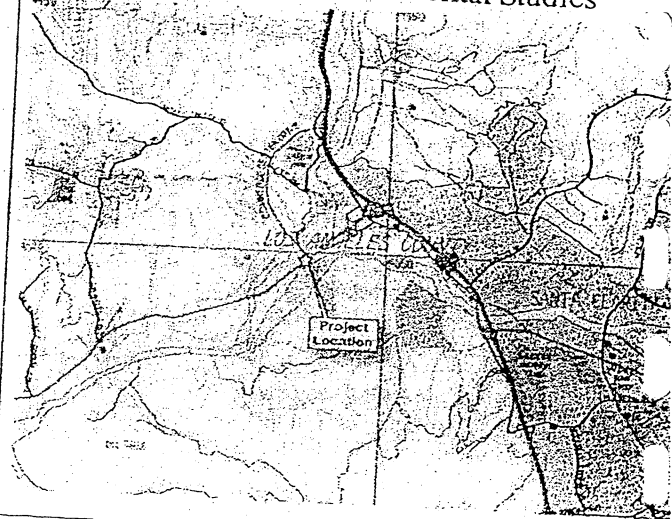
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## ENVIRONMENTAL SCOPING NOTICE

Notice of Initiation of Environmental Studies



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Division of Environmental Planning California Department of Transportation  
120 S. Spring Street  
Los Angeles, CA 90012  
Email: [Marieka.Schrader@dot.ca.gov](mailto:Marieka.Schrader@dot.ca.gov)

Be sure to indicate the name and address of a contact person in your organization in your letter. TDD users may contact the California Relay Service TDD line at 1-800-735-2929.

Thank you for your interest!

PROOF OF PUBLICATION  
(2015.5C.C.P.)

This space is for the County Clerk's filing Stamp

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of La Opinión a newspaper of general circulation, printed and published daily in the city of Los Angeles, county of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of July 28, 1969, Case Number: 950176; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

OCT. 21

all in the year 2003

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this

28 day of OCT., 2003

*Selma Chung*

**La Opinión**

411 W. 5th Street

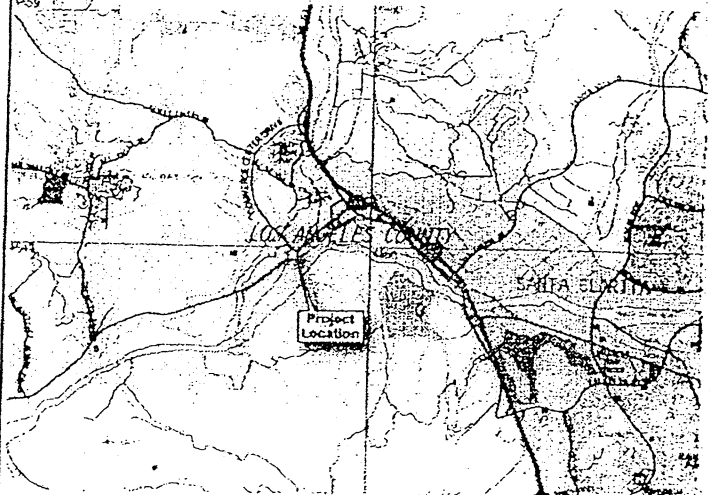
Los Angeles, CA 90013

Tel: (213) 896-2260 Fax: (213) 896-2374



**Aviso De Alcance  
Medioambiental**

**Aviso de Iniciación de Estudios  
Medioambientales**



**¿QUE SE ESTA PLANEANDO ?**

El Departamento de Transporte de California (CALTRANS) Distrito 7 en cooperación con la Administración Federal de Carreteras (FHWA por sus siglas en inglés), el Condado de Los Angeles, y la Compañía Newhall Land and Farming (en Newhall), está proponiendo la construcción de un intercambio grado-separado en la existente Ruta 126 y la intersección del Commerce Center Drive, con una nueva estructura de paso superior para el Commerce Center Drive arriba de la Ruta 126. El intercambio nuevo proveerá movimiento completo de tráfico entre el Commerce Center Drive y Ruta 126.

**¿EL PORQUE DE ESTE ANUNCIO?**

Caltrans esta formalmente iniciando estudios para este proyecto. Basados en estudios medioambientales preliminares, se anticipa que como resultado, el documento medioambiental sea un Estudio Inicial/Evaluación MedioAmbiental (IS/EA) conduciendonos a una Declaración Negativa/Resultados de Impacto No Significativo (ND/FONSI)

**SU PARTICIPACIÓN**

Este aviso de alcance es para solicitar comentarios de agencias públicas, entidades privadas, y de individuos interesados con respecto a cuestiones sociales, económicas, y medioambientales relacionadas al proyecto. El aviso de alcance también se asegura de que todos los partidos estén implicados al comienzo del proceso de planeamiento medioambiental.

**CONTACTOS:**

Por favor mande sus comentarios por escrito a más tardar el 17 de noviembre de 2003, a:

Mr. Ronald Kosinski, Chief  
Division of Environmental Planning California Department of  
Transportation  
120 S. Spring Street  
Los Angeles, CA 90012  
Email: Maricka.Schrader@dot.ca.gov

Asegúrese de indicar el nombre y dirección de un representante en su organización en su carta. Usuarios del TDD pueden contactar al Servicio de Retransmisión de California al: 1-800-735-2929.

*¡Muchas Gracias por su interés!*



**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, DIVISION OF ENVIRONMENTAL PLANNING  
120 SOUTH SPRING STREET  
LOS ANGELES, CA 90012-3606  
TDD (213) 897-6610



*Flex your power!  
Be energy efficient!*

October 14, 2003

File: 07-LA-126  
KPR6.8-R9.2  
(PM R4.2-R5.7)  
SR-126/  
Commerce  
Center Drive  
IC Improvements

Responsible agencies, review agencies,  
and individuals interested in the new  
grade-separated Interchange at SR-126  
and Commerce Center Drive:

#### Notice of Scoping/Initiation of Studies

The California Department of Transportation (Caltrans), in cooperation with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall Land), is initiating studies for a new grade-separated interchange at the State Route (SR) 126 and Commerce Center Drive intersection. The project would include a new overpass structure for Commerce Center Drive over SR-126, and would provide full movements for traffic between Commerce Center Drive and SR-126.

Preliminary environmental resource studies indicate that the appropriate environmental document would be an Initial Study/Environmental Assessment (IS/EA), leading to a Negative Declaration/Findings of No Significant Impact (ND/FONSI).

Please advise Caltrans within 30 days of any existing local facilities or planned developments in the study area. During the course of study, Caltrans will work cooperatively with other agencies and their staffs in an effort to exchange ideas, assure that all pertinent factors are considered, and develop mitigation that might afford a mutually acceptable solution.

We would also welcome any other comments or suggestions you may have concerning potential social, economic, and environmental impacts along the SR-126/Commerce Center Drive Interchange project limits. A public hearing will be held during the public circulation period of the environmental document.



We would be pleased to answer any questions you may have in regards to this project. Please send your written comments by November 17, 2003 to:

Ronald J. Kosinski, Deputy District Director  
Division of Environmental Planning  
Department of Transportation  
120 S. Spring Street  
Los Angeles, CA 90012-3606  
Attn: Marieka Schrader

If you have any questions or need additional information, please contact Cathy Wright, at (213) 897-0687.

Sincerely,

RON KOSINSKI  
Deputy District Director

Attachment

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, DIVISION OF ENVIRONMENTAL PLANNING  
120 SOUTH SPRING STREET  
LOS ANGELES, CA 90012-3606  
TDD (213) 897-6610



*Flex your power!  
Be energy efficient!*

October 14, 2003

File: 07-LA-126  
KPR6.8-R9.2  
(PM R4.2-R5.7)  
SR-126/  
Commerce  
Center Drive  
IC Improvements

Honorable Laurene Weste  
Mayor  
City of Santa Clarita  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

Notice of Scoping/Initiation of Studies

The California Department of Transportation (Caltrans), in cooperation with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall Land), is initiating studies for a new grade-separated interchange at the State Route (SR) 126 and Commerce Center Drive intersection. The project would include a new overpass structure for Commerce Center Drive over SR-126, and would provide full movements for traffic between Commerce Center Drive and SR-126.

Preliminary environmental resource studies indicate that the appropriate environmental document would be an Initial Study/Environmental Assessment (IS/EA), leading to a Negative Declaration/Findings of No Significant Impact (ND/FONSI).

Please advise Caltrans within 30 days of any existing local facilities or planned developments in the study area. During the course of study, Caltrans will work cooperatively with other agencies and their staffs in an effort to exchange ideas, assure that all pertinent factors are considered, and develop mitigation that might afford a mutually acceptable solution.

We would also welcome any other comments or suggestions you may have concerning potential social, economic, and environmental impacts along the SR-126/Commerce Center Drive Interchange project limits. A public hearing will be held during the public circulation period of the environmental document.

We would be pleased to answer any questions you may have in regards to this project. Please send your written comments by November 17, 2003 to:

Ronald J. Kosinski, Deputy District Director  
Division of Environmental Planning  
Department of Transportation  
120 S. Spring Street  
Los Angeles, CA 90012-3606  
Attn: Marieka Schrader

If you have any questions or need additional information, please contact Ron Kosinski, Deputy District Director of Environmental Planning, at (213) 897-0703.

Sincerely,

DOUGLAS R. FAILING  
District Director

Attachment

**Federal Emergency Management Agency**  
Federal Emergency Management Agency  
1111 Broadway, Suite 1200  
Oakland, CA 94607

**State Water Resources Control Board**  
P.O. Box 100  
Sacramento, CA 95814

**Los Angeles County Public Library**  
23743 West Valencia Boulevard  
Valencia, CA 91355

**National Park Service**  
Pacific West Region  
One Jackson Center  
1111 Jackson Street, Suite 700  
Oakland, CA 94607  
ATTN: Jon Jarvis

**Native American Heritage Commission**  
915 Capitol Mall, Rm. 288  
Sacramento, CA 95814  
ATTN: William Johnson

**Los Angeles County Public Works**  
Planning Division  
900 South Freemont Avenue  
Alhambra, CA 91803

**U.S. Army Corps of Engineers**  
Los Angeles District  
Regulation Branch  
911 Wilshire Avenue, 11<sup>th</sup> Floor  
Los Angeles, CA 90017-3401

**Los Angeles County Sheriff's Dept.**  
23740 Magic Mountain Parkway  
Santa Clarita, CA 91355  
ATTN: Captain Mike Quinn

**Los Angeles County Regional Planning**  
320 West Temple Street, Room 1101  
Los Angeles, CA 90012  
ATTN: William Miller

**U.S. Fish & Wildlife Service**  
Ventura Field Office  
2493 Portola Road, Suite B  
Ventura, CA 93003

**South Coast Air Quality  
Management District**  
21865 East Copley Drive  
Diamond Bar, CA 91765  
ATTN: Dr. James Lents

**Los Angeles County Regional Planning**  
Subdivisions Section  
320 West Temple Street, 13<sup>th</sup> Floor  
Los Angeles, CA 90012  
ATTN: Ellen Fitzgerald

**California Department of Conservation**  
801 "K" Street  
Sacramento, CA 95814  
ATTN: Director

**Los Angeles County  
Environmental Programs**  
Environmental Engineering & Planning  
900 South Freemont  
Alhambra, CA 91803

**Los Angeles County Sanitation District**  
1955 Workman Mill Road  
Whittier, CA 90601  
ATTN: Ruth Charles

**California Department of Fish and Game**  
330 Golden Shore, Suite 50  
Long Beach, CA 90802  
ATTN: Fred A. Worthley

**Los Angeles County Fire Department**  
23757 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Nina Johnson

**Los Angeles Department of Water  
and Power**  
Chief Real Estate Office  
111 North Hope Street, Room 1208  
Los Angeles, CA 90012

**California Department of Parks  
and Recreation**  
1416 Ninth Street  
Sacramento, CA 95814  
ATTN: Director

**Los Angeles County Flood Control**  
23757 West Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Steve Berger

**Metropolitan Transportation Authority**  
CMP/Environmental Review  
One Gateway Plaza  
Los Angeles, CA 90012

**California Highway Patrol**  
28648 The Old Road  
Santa Clarita, CA 91355  
ATTN: Captain Greg Augusta

**Los Angeles County Health Services**  
Noise Division  
2525 Corporate Place  
Monterey Park, CA 91754  
ATTN: Frank Gomez

**Southern California Association  
of Governments**  
818 West 7<sup>th</sup> Street, 12<sup>th</sup> Floor  
Los Angeles, CA 90017-3435  
ATTN: Director, Planning & Policy Dept.

**California Air Resources Board**  
South Coast AQMD  
21865 E. Copely Dr.  
Diamond Bar, CA 91765-4182  
ATTN: Dr. Barry Wallerstein

**County of Los Angeles Parks/Recreation**  
433 South Vermont Avenue  
Los Angeles, CA 90020  
ATTN: Joan Ruppert

**California Department of  
Water Resources**  
770 Fairmont Avenue  
Glendale, CA 91203  
ATTN: Mark Stuart

**California Integrated Waste  
Management Board**  
P.O. Box 4025  
Sacramento, CA 95812-4025  
ATTN: Pat McDermott

**Los Angeles County  
Public Health Programs & Services**  
Environmental Health Division  
2525 Corporate Place  
Monterey Park, CA 91754  
ATTN: Jack Petralia

**Santa Clarita Civic Association**  
P.O. Box 384  
Santa Clarita, CA 91322  
ATTN: Tamsie Irvan, President

**City of Santa Clarita**  
Parks, Recreation & Community Services  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Director

**Valencia Water Company**  
24631 Avenue Rockefeller  
Valencia, CA 91355  
ATTN: Robert DiPrimo, President

**Santa Clarita Oak Conservancy**  
P.O. Box 800520  
Santa Clarita, CA 91380  
ATTN: Ken Buchen

**City of Santa Clarita**  
Planning & Building Services  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Director

**Castaic Union School District**  
28131 Livingston Ave  
Valencia, CA 91355  
ATTN: Beverly W. Silsbee

**Santa Clarita Organization for the  
Planning of the Environment (SCOPE)**  
P.O. Box 1182  
Santa Clarita, CA 91386  
ATTN: Lynne Plambeck

**City of Santa Clarita**  
Transportation & Engineering Services  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Director

**Audubon Society**  
San Fernando Valley Chapter  
P. O. Box 2504  
Van Nuys, CA 91404  
ATTN: Christine Smith

**Santa Clarita Valley Historical Society**  
P.O. Box 221925  
Newhall, CA 91322

**Santa Clarita Community College District**  
College of the Canyons  
26455 Rockwell Canyon Road  
Santa Clarita, CA 91355  
ATTN: Dr. Dianne Van Hook, President

**California Native Plant Society**  
1750 Altadena Drive  
Pasadena, CA 91107  
ATTN: Ileen Anderson

**Senior Center**  
22900 Market Street  
Newhall, CA 91321  
ATTN: Stan Sierad

**Santa Clarita Transit**  
25663 Avenue Stanford  
Santa Clarita, CA 91355  
ATTN: Ron Kilcoyne

**California Wildlife Federation**  
P.O. Box 1527  
Sacramento, CA 95812-1527

**Sierra Club**  
3435 Wilshire Avenue, Suite 320  
Santa Clarita, CA 90010-1904

**Santa Clarita Valley Chamber  
of Commerce**  
23920 Valencia Boulevard, Suite 100  
Santa Clarita, CA 91355-2175  
ATTN: Connie Worden-Roberts, President

**Center For Biological Diversity**  
5656 S. Dorchester Ave. #3  
Chicago, IL 60637  
ATTN: John Buse

**Six Flags Magic Mountain**  
P.O. Box 5500  
Valencia, CA 91385  
ATTN: Del Holland, President

**Castaic Town Council**  
P.O. Box 325  
Castaic, CA 91310  
ATTN: Richard Massey, President

**Live Oak Civic Association**  
29619 Newport Place  
Castaic, CA 91310  
ATTN: Mary Aurit

**Six Flags Magic Mountain**  
26101 Magic Mountain Pkwy.  
Valencia, CA 91355  
ATTN: Dan Duncan, Safety/  
Environmental Manager

**Castaic Chamber of Commerce**  
31744 Castaic Road  
Castaic, CA 91384  
ATTN: Dalton Celais, President

**Newhall Land & Farming Co.**  
23823 Valencia Boulevard  
Valencia, CA 91355-2194  
ATTN: Greg Medeiros (Library)

**Stevenson Ranch Residents for  
Responsible Development**  
25849 Browning Place  
Stevenson Ranch, CA 91381  
ATTN: Keith Pritsker

**LAFCO**  
500 West Temple Street, Room 383  
Los Angeles, CA 90012  
ATTN: June Savala

**Newhall Land & Farming Co.**  
23823 Valencia Boulevard  
Valencia, CA 91355-2194  
ATTN: Jerry Domke

**The Nature Conservancy**  
California Regional Office  
201 Mission Street, 4th Floor  
San Francisco, CA 94105

**Metropolitan Water District**  
Planning Division  
700 North Alameda Street  
Los Angeles, CA 90012

**Northridge Home Owners Association**  
28245 Avenue Crocker, Suite 104  
Santa Clarita, CA 91355  
ATTN: Crown Management

**State Clearinghouse,**  
1400 Tenth Street  
P.O. Box 3044  
Sacramento, CA 95812-3044

**Valencia Industrial Association**  
P.O. Box 55592  
Santa Clarita, CA 91385  
ATTN: Kathy Norris

**The Honorable Diane Feinstein**  
United States Senator  
One Post Street, Suite 2450  
San Francisco, CA 94104

**The Honorable Barbara Boxer**  
United States Senator  
312 N. Spring St. Suite 1748  
Los Angeles, CA 90012

**The Honorable Howard "Buck" McKeon**  
United States Congressman  
26650 The Old Road, Suite 203  
Santa Clarita, CA 91381-0757

**The Honorable Tom McClintock**  
California State Senate  
State Capitol, Room 3070  
Sacramento, CA 95814

**The Honorable George C. Runner**  
California State Senate  
State Capitol, Room 4066  
Sacramento, CA 95814

**The Honorable Keith Richman**  
Assembly Member  
10727 White Oak Ave., Suite 124  
Granada Hills, CA 91344

**The Honorable Michael D. Antonovich**  
County of Los Angeles Supervisor  
23920 Valencia Boulevard, Suite 265  
Santa Clarita, CA 91355-2175

**The Honorable Audra Strickland**  
Assembly Member  
Westlake District Office  
2659 Townsgate Road, Suite 236  
Westlake Village, CA 91361

**California Regional Water Quality Control Board**  
Los Angeles Region  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013  
ATTN: Elizabeth Erickson

**NOAA**  
NMFS Southwest Regional Habitat  
Conservation Division  
501 W. Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213  
ATTN: Mark Helvey

**The Honorable Cameron Smyth**  
City of Santa Clarita Mayor  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Bob Kellar**  
City of Santa Clarita Council Member  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Frank Ferry**  
City of Santa Clarita Council Member  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Marsha McLean**  
City of Santa Clarita Council Member  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Laurene Weste**  
City of Santa Clarita Mayor Pro-Tem  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**Robert Kelly (Castaic Town Council Member)**  
29873 Arroyo Oak Ln.  
Castaic, CA 91384

**Joanne Carras (Castaic Town Council Member)**  
30424 Capallero Drive  
Castaic, CA 91384

**Lloyd Carder II (Castaic Town Council Member)**  
30530 Remington Road  
Castaic, CA 91384

**Friends of the Santa Clara River**  
28006 San Martinez Grande Road  
Castaic, CA 91384-2306  
ATTN: Barbara Wampole

**The Honorable Ken Pulskamp**  
City of Santa Clarita City Manager  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**Los Angeles County Public Works**  
Mapping and Property Management Division  
900 South Freemont Avenue  
Alhambra, CA 91803

**Paul Fancett (Castaic Town Council Member)**  
32219 Green Hill Drive  
Castaic, CA 91384

**Phil Hof (Castaic Town Council Member)**  
32748 Ridge Top Lane  
Castaic, CA 91384

**John Kunak (Castaic Town Council Member)**  
60352 Yosemite Dr.  
Castaic, CA 91384

**Patti Gustafsson (Castaic Town Council Member)**  
31007 San Martinez Road  
Castaic, CA 91384

**Bob Lewis (Castaic Town Council Member)**  
28602 Applewood Lane  
Castaic, CA 91384

**Bruce VanWetter (Castaic Town Council Member)**  
29165 Justamere Ave.  
Val Verde, CA 91384

**Bart Davidson (Castaic Town Council Member)**  
28658 Meadowgrass Drive  
Castaic, CA 91384

**Governor's Office of Planning and Research**  
State Clearinghouse and Planning Unit  
1400 Tenth Street  
P.O. Box 3044  
Sacramento, CA 95812

**County of Los Angeles  
Department of Parks and Recreation**  
433 South Vermont Avenue  
Los Angeles, CA 90020  
ATTN: Bryan Moscardini

**Southern California Association of  
Governments**  
818 West Seventh Street, 12<sup>th</sup> Floor  
Los Angeles, California 90017  
ATTN: Brian Wallace

**Los Angeles County Bicycle Coalition**  
23404 W. Lyons Ave. #257  
Newhall, CA 91321  
ATTN: Maria Gutziet

**United States of Homeland Security**  
1111 Broadway, Suite 1200  
Oakland, CA 94607  
ATTN: Michael Shore

**Santa Clarita Sierra Club Group**  
21827 Parvin Dr.  
Santa Clarita, CA 91350  
ATTN: Henry Schultz

**Schwartz Oil Company Inc.**  
27241 Henry Mayo Dr.  
Valencia, CA 91355  
ATTN: Trudy Emetrio

**South Coast Air Quality Management  
District**  
21865 Copley Drive  
Diamond Bar, CA 91765  
ATTN: Susan Nakamura

**Friends of the Santa Clara River**  
660 Randy Drive  
Newbury Park, California 91320  
ATTN: Ron Bottorff

**Heffernan & Boortz/ Valencia Travel  
Village**  
A Partnership Composed of Law  
Corporations  
26 Corporate Plaza Dr.-Suite 100  
New Port Beach, CA 92660  
ATTN: Donald L. Boortz

CH2m Hill  
3 Hutton Centre Drive  
Santa Ana, CA 92707

# Affidavit of Publication

—of—

Classified Advertising

State of California,  
County of Los Angeles

Terry Foldenauer of said  
County and State being duly sworn, says:

That he is and at all times herein mentioned was a  
citizen of the United States, over 21 years of age, and not  
a party to nor interested in the above entitled matter; that  
he is a principal clerk of the printers and publishers of the  
**LOS ANGELES TIMES** a newspaper printed and  
published daily in the said Los Angeles County; that the

## Legal Notice

in the above entitled matter of which the annexed is a  
printed copy, was published in said newspaper

**LOS ANGELES TIMES**

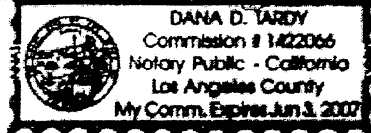
202 West First ST. Los Angeles, CA. 90012

on the following days, to-wit:

May 23, 2005

Subscribed and sworn to before  
me, this 24th day of  
June 2005

Notary Public in and for the County of Los Angeles, State of California



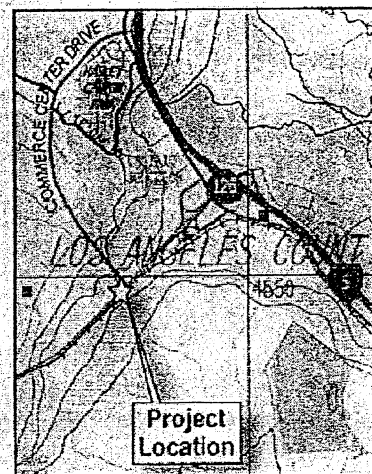
64-556



## NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION INITIAL STUDY/ENVIRONMENTAL ASSESSMENT

Study Results Available

ANNOUNCEMENT OF PUBLIC HEARING



### WHAT'S BEING PLANNED?

The California Department of Transportation (Caltrans), District 7, in cooperation with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall), is proposing to construct a grade-separated interchange at the existing SR 126 and Commerce Center Drive intersection, with a new overpass structure for Commerce Center Drive over SR 126 located within unincorporated LA County west of the City of Santa Clarita. The new interchange would provide full movements for traffic between Commerce Center Drive and SR 126.

### WHY THIS/AD?

Caltrans has studied the effects this project may have on the environment. Our studies show it will not significantly affect the quality of the environment. This notice is to tell you of the preparation of the Initial Study/Environmental Assessment (ISEA) and of its availability for you to read. A hearing will be held to give you an opportunity to talk about certain design features of the project with Caltrans staff before the final design is selected.

### WHAT IS AVAILABLE?

Maps for the proposed ISEA and other project information are available for review and copying at the Caltrans District 7 Office, 100 S. Main St., Los Angeles, CA 90012 on weekdays from 8:00 a.m. to 4:00 p.m. The ISEA is also available for review at the Los Angeles County Public Library, 23743 W. Valencia Blvd., Santa Clarita, CA 91355.

### WHERE YOU COME IN

Do you have any comments about processing the project with an ISEA? Do you disagree with the findings of our study as set forth in the proposed ISEA? Would you care to make any other comments on the project? Please submit your comments in writing no later than July 8, 2005 to Caltrans, 100 S. Main St., Los Angeles, CA 90012. If there are no major comments, Caltrans will proceed with the project design.

### WHEN AND WHERE

The hearing will be held on June 23, 2005 from 6:00 p.m. till 8:00 p.m. at Castale Union School District, Board Conference Room, 28131 Livingston Avenue, Valencia, CA 91355.

### CONTACT

Please send your written comments by July 8, 2005 to:

Mr. Ronald Kosinski  
Deputy District Director, Caltrans - District 07  
Division of Environmental Planning  
100 S. Main Street  
Los Angeles, CA 90012  
Attn: Chris Benz-Blumberg

Be sure to indicate the name and address of the contact person in your organization in your letter.

Thank you for your interest!

2401215



CH2M Hill  
3 Hutton Centre Drive, Ste 200  
Santa Ana, CA 92707

State of California, } ss.  
County of Los Angeles

Edna Zafranco \_\_\_\_\_ of said  
County and State being duly sworn, says:

That he is and at all times herein mentioned was a  
citizen of the United States, over 21 years of age, and not  
a party to nor interested in the above entitled matter; that  
he is a principal clerk of the printers and publishers of the  
**LOS ANGELES TIMES** a newspaper printed and  
published daily in the said Los Angeles County; that the

#### Legal Notice

in the above entitled matter of which the annexed is a  
printed copy, was published in said newspaper

**LOS ANGELES TIMES**

202 West First St. Los Angeles, CA. 90012

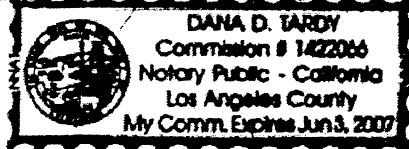
on the following days, to-wit:

June 16, 2005

Subscribed and sworn to before

me, this 7th day of July, 2005

Notary Public in and for the County of Los Angeles, State of California



94-696

## Affidavit of Publication

— of —

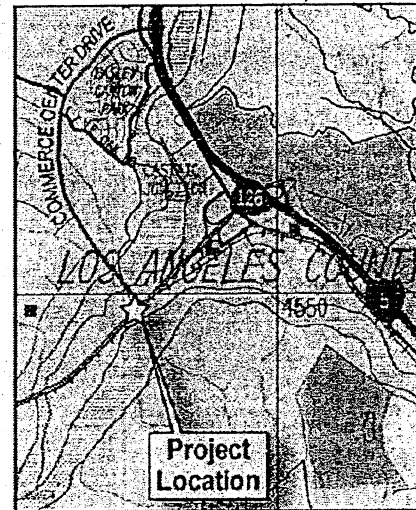
### Classified Advertising



#### NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION INITIAL STUDY/ENVIRONMENTAL ASSESSMENT

Study Results Available

#### ANNOUNCEMENT OF PUBLIC HEARING



#### WHAT'S BEING PLANNED?

The California Department of Transportation (Caltrans), District 7, in cooperation with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall), is proposing to construct a grade-separated interchange at the existing SR 126 and Commerce Center Drive intersection, with a new overpass structure for Commerce Center Drive over SR 126 located within unincorporated LA County west of the City of Santa Clarita. The new interchange would provide full movements for traffic between Commerce Center Drive and SR 126.

#### WHY THIS AD?

Caltrans has studied the effects this project may have on the environment. Our studies show it will not significantly affect the quality of the environment. This notice is to tell you of the preparation of the Initial Study/Environmental Assessment (IS/EA) and of its availability for you to read. A hearing will be held to give you an opportunity to talk about certain design features of the project with Caltrans staff before the final design is selected.

#### WHAT IS AVAILABLE?

Maps for the proposed IS/EA and other project information are available for review and copying at the Caltrans District 7 Office, 100 S. Main St., Los Angeles, CA 90012 on weekdays from 8:00 a.m. to 4:00 p.m. The IS/EA is also available for review at the Los Angeles County Public Library, 23743 W. Valencia Blvd., Santa Clarita, CA 91355.

#### WHERE YOU COME IN

Do you have any comments about processing the project with an IS/EA? Do you disagree with the findings of our study as set forth in the proposed IS/EA? Would you care to make any other comments on the project? Please submit your comments in writing no later than July 8, 2005 to Caltrans, 100 S. Main St., Los Angeles, CA 90012. If there are no major comments, Caltrans will proceed with the project design.

#### WHEN AND WHERE

The hearing will be held on June 23, 2005 from 6:00 p.m. till 8:00 p.m. at Castaic Union School District, Board Conference Room, 25131 Livingston Avenue, Valencia, CA 91355.

#### CONTACT

Please send your written comments by **July 8, 2005** to:

Mr. Ronald Kosinski  
Deputy District Director, Caltrans - District 07  
Division of Environmental Planning  
100 S. Main Street  
Los Angeles, CA 90012  
Attn: Chris Benz-Blumberg

Be sure to indicate the name and address of the contact person in your organization in your letter.

Thank you for your interest!

24070215

PROOF OF PUBLICATION  
(2015.5C.C.P.)

**La Opinión**

The Leading Spanish Language Daily Newspaper  
700 S. Flower St. • Los Angeles, CA 90017  
Tel: (213) 896-2260 • Fax: (213) 896-2236  
www.laopinion.com

**STATE OF CALIFORNIA**

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of La Opinión a newspaper of general circulation, printed and published daily in the city of Los Angeles, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of July 28, 1969, Case Number: 950176; that the notice, of which the annexed is a printed copy, has been published in each regular and not in any supplement thereof on the following dates, to-wit:

May 24

June 16

all in the year 20 05


I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this


23 day of June, 2005

D. B.  
Signature

ADW 8/17 Controlled  
Rev. 06/05

	
<b>NOTIFICACION DE INTENCION DE ADOPTAR UNA DECLARACION NEGATIVA</b>	
<b>EVALUACION DE ESTUDIO AMBIENTAL</b>	
<b>Resultados de Estudio Disponibles</b>	
<b>NOTIFICACION DE AUDIENCIA PUBLICA</b>	
	
<b>¿QUE SE ESTA PLANEANDO?</b> El Departamento de Transportes de California (Caltrans), Distrito 7, en cooperación con la Policía de Tránsito (FTHA) del Condado de Los Angeles, y la compañía Newhall Land and Farming (Newhall), está proponiendo la construcción de un cruce de carretera dividido por un desnivel en la actual intersección del SR 126 y Commerce Center Drive, con una nueva puerta de acceso al Commerce Center Drive sobre el SR 126, que está localizada en el área del oeste de Santa Clarita, ciudad no incorporada al Condado de Los Angeles. La nueva intersección dará agilización al movimiento del tráfico entre el Commerce Center Drive y el SR 126.	
<b>¿POR QUE ESTE ANUNCIO?</b> Caltrans ha analizado los efectos que pueda tener este proyecto en el medio ambiente. Dichos estudios muestran que no habrá un efecto significativo en la calidad del ambiente. Esta notificación es para informarle sobre la preparación del la Evaluación Inicial del estudio ambiental (IS/EA) que está disponible para que usted lo lea. Se llevará a cabo una audiencia para darle la oportunidad de discutir con Caltrans algunos detalles del diseño de este proyecto antes de que se seleccione el diseño definitivo.	
<b>¿QUE HAY DISPONIBLE?</b> Mapas del proyecto IS/EA y más información del proyecto está disponible para revisión y copiar en las oficinas del distrito 7 de Caltrans, localizado en el 100 S. Main St., Los Angeles, CA 90012. Fines de semana de 8:00 a.m. a 4:00 p.m. El IS/EA está también disponible para revisión en la Biblioteca Pública del Condado de Los Angeles, 23743 W. Valencia Blvd., Santa Clarita, CA 91355.	
<b>¿DONDE ENCAJA USTED?</b> ¿Tiene usted comentarios sobre el proceso del proyecto con un IS/EA? ¿Está en desacuerdo con los resultados del IS/EA propuesto? ¿Le interesaría hacer algún otro comentario respecto al proyecto? Favor de enviar sus comentarios por escrito a más tardar el 8 de julio del 2005 a Caltrans, 100 S. Main St., Los Angeles, CA 90012. Si no hay comentarios significativos Caltrans continuará con el diseño actual del proyecto.	
<b>¿CUÁNDO Y DONDE?</b> La audiencia se llevará a cabo el 23 de junio, 2005 de 6:00 p.m. a 8:00 p.m. en la Unión del Distrito Escolar de Castaic, Salón de Conferencias, 28131 Livingston Avenue, Valencia, CA 91355.	
<b>CONTACTO</b> Favor de mandar sus comentarios por escritos al 8 de julio, 2005 a: Mr. Ronald Kosinski Deputy District Director, Caltrans - District 07 Division of Environmental Planning 100 S. Main Street Los Angeles, CA 90012 Attn: Chris Benz-Blumberg	
Asegúrese de indicar en su carta, el nombre y dirección de la persona contacto en su organización.	
Gracias por su interés.	

# SANTA CLARITA VALLEY

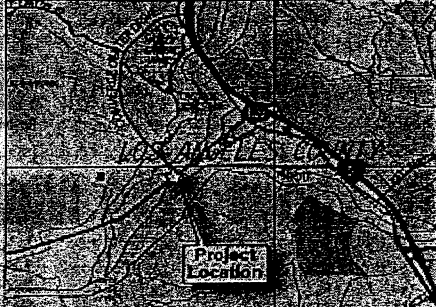


**Caltrans**

**NOTICE OF INTENT TO ADOPT A  
NEGATIVE DECLARATION INITIAL  
STUDY/ENVIRONMENTAL ASSESSMENT**

**Study Hours Available**

**ANNOUNCEMENT OF PUBLIC HEARING**



**Project Location**

**WHAT IS BEING PLANNED?**  
The California Department of Transportation (Caltrans) is, in cooperation with the Federal Highway Administration (FHWA) and the Santa Clarita Valley Regional Council of Governments (SCVRCOG), proposing to construct a grade-separated interchange at the intersection of SR 138 and SR 141. The interchange is located in the unincorporated area of the Santa Clarita Valley, just east of the City of Santa Clarita. The interchange would provide full movement for traffic between Conference Center Drive and SR 138.

**WHY THIS AD?**  
Caltrans has found the construction project may have an effect on the environment. Our mission is to build a safe, efficient, and reliable transportation system. This project is a key part of the transportation system in the Santa Clarita Valley. The project is a key part of the transportation system in the Santa Clarita Valley. The project is a key part of the transportation system in the Santa Clarita Valley.

**WHAT IS AVAILABLE?**  
Plans for the proposed interchange project are available for review and copying at the Caltrans District 7 Office, 101 S. Main St., Los Angeles, CA 90012 on weekdays from 8:00 a.m. to 4:00 p.m. The plans are also available for review at the Los Angeles County Public Library, 2143 W. Valley Blvd., Santa Clarita, CA 91350.

**WHERE YOU COME IN**  
Do you have any comments about proceeding with the project with a NDEA? Do you disagree with the findings of our study or with the proposed NDEA? Would you like to make any other comments or the project? Please submit your comments by June 16, 2005, to the Caltrans District 7 Office, 101 S. Main St., Los Angeles, CA 90012. If there are no major comments, Caltrans will proceed with the project design.

**WHEN AND WHERE**  
The hearing will be held on June 22, 2005 from 6:00 p.m. to 8:00 p.m. at the Santa Clarita School District Board Conference Room, 18131 Livingston Avenue, Valencia, CA 91355.

**CONTACT**  
Please send your written comments by July 8, 2005 to:  
Mr. Ronald Kishall  
Deputy District Director, Caltrans District 7  
Division of Environmental Planning  
101 S. Main St.  
Los Angeles, CA 90012  
Attn: Chris Lane, Planning

**PLEASE DO NOT SIGN OR SIGNATURE OF THE CONTACT PERSON IN YOUR ORGANIZATION IN YOUR LETTER.**

**Thank you for your interest.**

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7, DIVISION OF ENVIRONMENTAL PLANNING  
100 SOUTH MAIN ST.  
LOS ANGELES, CA 90012-3606  
Phone (213) 897-0703  
Fax (213) 897-0685



*Flex your power!  
Be energy efficient!*

May 19, 2005

File: 07-LA-126 KP R6.8-R9.2  
Interchange Improvements  
EA 187220

Responsible Agencies, Review Agencies,  
Trustee Agencies, and individuals  
interested in the proposed project

**Notice of Public Hearing/Notice of Availability**

The California Department of Transportation (Caltrans), in cooperation with the Federal Highway Administration (FHWA), Los Angeles County, and the Newhall Land and Farming Company (Newhall Land), has prepared a Initial Study/ Environmental Assessment for a proposed grade-separated interchange at the State Route (SR) 126 and Commerce Center Drive intersection in unincorporated LA County west of the City of Santa Clarita. The project would include a new overpass structure for Commerce Center Drive over SR-126, and would provide full movements for traffic between Commerce Center Drive and SR-126.

A public hearing is scheduled for June 23, 2005 from 6:00 p.m. to 8:00 p.m. The hearing will take place at the following location:

Castaic Union School District  
Board Conference Room  
28131 Livingston Avenue  
Valencia, CA 91355

The purpose of this hearing is to obtain public comment on the proposed project design and results of our environmental studies. Attached is a copy of the Initial Study/Environmental Assessment for your review and comment. It is requested that you furnish all written comments by July 8, 2005 to:

Ronald J. Kosinski, Deputy District Director  
Division of Environmental Planning  
Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, CA 90012-3606  
Attn: Chris Benz-Blumberg

For additional information on this project, please call Chris Benz-Blumberg at (213) 897-0674. Thank you for your interest in this transportation project.

Sincerely,

RONALD KOSINSKI  
Deputy District Director, District 7  
California Department of Transportation

**Federal Emergency Management Agency**  
Federal Emergency Management Agency  
1111 Broadway, Suite 1200  
Oakland, CA 94607

**State Water Resources Control Board**  
P.O. Box 100  
Sacramento, CA 95814

**Los Angeles County Public Library**  
23743 West Valencia Boulevard  
Valencia, CA 91355

**National Park Service**  
Pacific West Region  
One Jackson Center  
1111 Jackson Street, Suite 700  
Oakland, CA 94607  
ATTN: Jon Jarvis

**Native American Heritage Commission**  
915 Capitol Mall, Rm. 288  
Sacramento, CA 95814  
ATTN: William Johnson

**Los Angeles County Public Works**  
Planning Division  
900 South Freemont Avenue  
Alhambra, CA 91803

**U.S. Army Corps of Engineers**  
Los Angeles District  
Regulation Branch  
911 Wilshire Avenue, 11<sup>th</sup> Floor  
Los Angeles, CA 90017-3401

**Los Angeles County Sheriff's Dept.**  
23740 Magic Mountain Parkway  
Santa Clarita, CA 91355  
ATTN: Captain Mike Quinn

**Los Angeles County Regional Planning**  
320 West Temple Street, Room 1101  
Los Angeles, CA 90012  
ATTN: William Miller

**U.S. Fish & Wildlife Service**  
Ventura Field Office  
2493 Portola Road, Suite B  
Ventura, CA 93003

**South Coast Air Quality  
Management District**  
21865 East Copley Drive  
Diamond Bar, CA 91765  
ATTN: Dr. James Lents

**Los Angeles County Regional Planning**  
Subdivisions Section  
320 West Temple Street, 13<sup>th</sup> Floor  
Los Angeles, CA 90012  
ATTN: Ellen Fitzgerald

**California Department of Conservation**  
801 "K" Street  
Sacramento, CA 95814  
ATTN: Director

**Los Angeles County  
Environmental Programs**  
Environmental Engineering & Planning  
900 South Freemont  
Alhambra, CA 91803

**Los Angeles County Sanitation District**  
1955 Workman Mill Road  
Whittier, CA 90601  
ATTN: Ruth Charles

**California Department of Fish and Game**  
330 Golden Shore, Suite 50  
Long Beach, CA 90802  
ATTN: Fred A. Worthley

**Los Angeles County Fire Department**  
23757 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Nina Johnson

**Los Angeles Department of Water  
and Power**  
Chief Real Estate Office  
111 North Hope Street, Room 1208  
Los Angeles, CA 90012

**California Department of Parks  
and Recreation**  
1416 Ninth Street  
Sacramento, CA 95814  
ATTN: Director

**Los Angeles County Flood Control**  
23757 West Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Steve Berger

**Metropolitan Transportation Authority**  
CMP/Environmental Review  
One Gateway Plaza  
Los Angeles, CA 90012

**California Highway Patrol**  
28648 The Old Road  
Santa Clarita, CA 91355  
ATTN: Captain Greg Augusta

**Los Angeles County Health Services**  
Noise Division  
2525 Corporate Place  
Monterey Park, CA 91754  
ATTN: Frank Gomez

**Southern California Association  
of Governments**  
818 West 7<sup>th</sup> Street, 12<sup>th</sup> Floor  
Los Angeles, CA 90017-3435  
ATTN: Director, Planning & Policy Dept.

**California Air Resources Board**  
South Coast AQMD  
21865 E. Copley Dr.  
Diamond Bar, CA 91765-4182  
ATTN: Dr. Barry Wallerstein

**County of Los Angeles Parks/Recreation**  
433 South Vermont Avenue  
Los Angeles, CA 90020  
ATTN: Joan Ruppert

**California Department of  
Water Resources**  
770 Fairmont Avenue  
Glendale, CA 91203  
ATTN: Mark Stuart

**California Integrated Waste  
Management Board**  
P.O. Box 4025  
Sacramento, CA 95812-4025  
ATTN: Pat McDermott

**Los Angeles County  
Public Health Programs & Services**  
Environmental Health Division  
2525 Corporate Place  
Monterey Park, CA 91754  
ATTN: Jack Petralia

**Santa Clarita Civic Association**  
P.O. Box 384  
Santa Clarita, CA 91322  
ATTN: Tamsie Irvan, President

**City of Santa Clarita**  
Parks, Recreation & Community Services  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Director

**Valencia Water Company**  
24631 Avenue Rockefeller  
Valencia, CA 91355  
ATTN: Robert DiPrimo, President

**Santa Clarita Oak Conservancy**  
P.O. Box 800520  
Santa Clarita, CA 91380  
ATTN: Ken Buchen

**City of Santa Clarita**  
Planning & Building Services  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Director

**Castaic Union School District**  
28131 Livingston Ave  
Valencia, CA 91355  
ATTN: Beverly W. Silsbee

**Santa Clarita Organization for the  
Planning of the Environment (SCOPE)**  
P.O. Box 1182  
Santa Clarita, CA 91351  
ATTN: Lynne Plambeck

**City of Santa Clarita**  
Transportation & Engineering Services  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
ATTN: Director

**Audubon Society**  
San Fernando Valley Chapter  
P. O. Box 2504  
Van Nuys, CA 91404  
ATTN: Christine Smith

**Santa Clarita Valley Historical Society**  
P.O. Box 221925  
Newhall, CA 91322

**Santa Clarita Community College District**  
College of the Canyons  
26455 Rockwell Canyon Road  
Santa Clarita, CA 91355  
ATTN: Dr. Dianne Van Hook, President

**California Native Plant Society**  
1750 Altadena Drive  
Pasadena, CA 91107  
ATTN: Lyn McAfee

**Senior Center**  
22900 Market Street  
Newhall, CA 91321  
ATTN: Stan Sierad

**Santa Clarita Transit**  
25663 Avenue Stanford  
Santa Clarita, CA 91355  
ATTN: Ron Kilcoyne

**California Wildlife Federation**  
P.O. Box 1527  
Sacramento, CA 95812-1527

**Sierra Club**  
3435 Wilshire Avenue, Suite 320  
Santa Clarita, CA 90010-1904  
ATTN: Lynn Plambeck

**Santa Clarita Valley Chamber  
of Commerce**  
23920 Valencia Boulevard, Suite 100  
Santa Clarita, CA 91355-2175  
ATTN: Connie Worden-Roberts, President

**Friends of the Santa Clara River**  
660 Randy Drive  
Newbury Park, CA 91320-3036  
ATTN: Ron Bottorff, Chair

**Six Flags Magic Mountain**  
P.O. Box 5500  
Valencia, CA 91385  
ATTN: Del Holland, President

**Castaic Town Council**  
P.O. Box 325  
Castaic, CA 91310  
ATTN: Richard Massey, President

**Live Oak Civic Association**  
29619 Newport Place  
Castaic, CA 91310  
ATTN: Mary Aurit

**Six Flags Magic Mountain**  
26101 Magic Mountain Pkwy.  
Valencia, CA 91355  
ATTN: Dan Duncan, Safety/  
Environmental Manager

**Castaic Chamber of Commerce**  
31744 Castaic Road  
Castaic, CA 91384  
ATTN: Dalton Celauis, President

**Newhall Land & Farming Co.**  
23823 Valencia Boulevard  
Valencia, CA 91355-2194  
ATTN: Greg Medeiros (Library)

**Stevenson Ranch Residents for  
Responsible Development**  
25849 Browning Place  
Stevenson Ranch, CA 91381  
ATTN: Keith Pritsker

**LAFCO**  
500 West Temple Street, Room 383  
Los Angeles, CA 90012  
ATTN: June Savala

**Newhall Land & Farming Co.**  
23823 Valencia Boulevard  
Valencia, CA 91355-2194  
ATTN: Jerry Domke

**The Nature Conservancy**  
California Regional Office  
201 Mission Street, 4th Floor  
San Francisco, CA 94105

**Metropolitan Water District**  
Planning Division  
700 North Alameda Street  
Los Angeles, CA 90012

**Northridge Home Owners Association**  
28245 Avenue Crocker, Suite 104  
Santa Clarita, CA 91355  
ATTN: Crown Management

**State Clearinghouse,**  
P.O. Box 3044  
Sacramento, CA 95812-3044

**Valencia Industrial Association**  
P.O. Box 55592  
Santa Clarita, CA 91385  
ATTN: Kathy Norris

**The Honorable Diane Feinstein**  
United States Senator  
One Post Street, Suite 2450  
San Francisco, CA 94104

**The Honorable Barbara Boxer**  
United States Senator  
312 N. Spring St. Suite 1748  
Los Angeles, CA 90012

**The Honorable Howard "Buck" McKeon**  
United States Congressman  
26650 The Old Road, Suite 203  
Santa Clarita, CA 91381-0757

**The Honorable Tom McClintock**  
California State Senate  
State Capitol, Room 3070  
Sacramento, CA 95814

**The Honorable George C. Runner**  
California State Senate  
State Capitol, Room 4066  
Sacramento, CA 95814

**The Honorable Keith Richman**  
Assembly Member  
10727 White Oak Ave., Suite 124  
Granada Hills, CA 91344

**The Honorable Michael D. Antonovich**  
County of Los Angeles Supervisor  
23920 Valencia Boulevard, Suite 265  
Santa Clarita, CA 91355-2175

**The Honorable Audra Strickland**  
Assembly Member  
Westlake District Office  
2659 Townsgate Road, Suite 236  
Westlake Village, CA 91361

**NOAA**  
NMFS Southwest Regional Habitat  
Conservation Division  
501 W. Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213  
ATTN: Mark Helvey

**The Honorable Cameron Smyth**  
City of Santa Clarita Mayor  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Bob Kellar**  
City of Santa Clarita Council Member  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Frank Ferry**  
City of Santa Clarita Council Member  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Marsha McLean**  
City of Santa Clarita Council Member  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**The Honorable Laurene Weste**  
City of Santa Clarita Mayor Pro-Tem  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**Robert Kelly (Castaic Town Council Member)**  
29873 Arroyo Oak Ln.  
Castaic, CA 91384

**Joanne Carras (Castaic Town Council Member)**  
30424 Capallero Drive  
Castaic, CA 91384

**Lloyd Carder II (Castaic Town Council Member)**  
30530 Remington Road  
Castaic, CA 91384

**The Honorable Ken Puskamp**  
City of Santa Clarita City Manager  
23920 Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

**Los Angeles County Public Works**  
Mapping and Property Management Division  
900 South Freemont Avenue  
Alhambra, CA 91803

**Paul Fancett (Castaic Town Council Member)**  
32219 Green Hill Drive  
Castaic, CA 91384

**Phil Hof (Castaic Town Council Member)**  
32748 Ridge Top Lane  
Castaic, CA 91384

**John Kunak (Castaic Town Council Member)**  
60352 Yosemite Dr.  
Castaic, CA 91384

**Patti Gustafsson (Castaic Town Council Member)**  
31007 San Martinez Road  
Castaic, CA 91384

**Bob Lewis (Castaic Town Council Member)**  
28602 Applewood Lane  
Castaic, CA 91384

**Bruce VanWetter (Castaic Town Council Member)**  
29165 Justamere Ave.  
Val Verde, CA 91384

**Bart Davidson (Castaic Town Council Member)**  
28658 Meadowgrass Drive  
Castaic, CA 91384

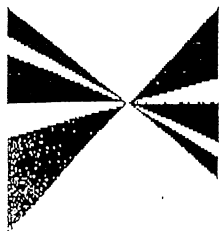
## **Appendix F** Responses to Scoping Notices

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SOUTHERN CALIFORNIA



**ASSOCIATION OF  
GOVERNMENTS**

**Main Office**

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

(213) 236-1800

(213) 236-1825

[www.scag.ca.gov](http://www.scag.ca.gov)

**Officers:** President: Mayor Bev Perry, Brea • First Vice President: Councilmember Ron Roberts, Temecula • Second Vice President: Supervisor Hank Kujper, Imperial • Past President: Councilmember Ronald Bates, Los Alamitos

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**Los Angeles County:** Yvonne Brathwaite Burke, Los Angeles County • Jay Tarantovsky, Los Angeles County • Melanie Andrews, Compton • Harry Baldwin, San Gabriel • Paul Bowen, Cerritos • Tony Cardenas, Los Angeles • Margaret Clark, Rosemead • Gene Daniels, Paramount • Mike Dispenza, Palmdale • Judy Dunlap, Inglewood • Eric Garretti, Los Angeles • Wendy Gruel, Los Angeles • Frank Gurule, Cudahy • James Hahn, Los Angeles • Ianke Hahn, Los Angeles • Sandra Jacobs, El Segundo • Tom LaBonge, Los Angeles • Bonnie Lowenthal, Long Beach • Martin Ludlow, Los Angeles • Keith McCormick, Downey • Havelyn Miller, Claremont • Cindy Muscikowski, Los Angeles • Paul Nowak, Torrance • Pam O'Connor, Santa Monica • Alex Paillo, Los Angeles • Bernardo Parks, Los Angeles • Jan Perry, Los Angeles • Beatrice Pross, Pico Rivera • Ed Reyes, Los Angeles • Greg Smith, Los Angeles • Dick Stanford, Azusa • Tom Sykes, Walnut • Paul Talbot, Alhambra • Sidney Tyler, Jr., Pasadena • Tonia Reyes Uranga, Long Beach • Antonio Villaragosa, Los Angeles • Dennis Washburn, Calabasas • Jack Weiss, Los Angeles • Bob Yousefian, Glendale • Dennis F. Zine, Los Angeles

**Orange County:** Chris Norby, Orange County • Ron Bates, Los Alamitos • Art Brown, Buena Park • Lou Bone, Tustin • Richard Chavez, Anaheim • Debbie Cook, Huntington Beach • Cathryn DeYoung, Laguna Niguel • Richard Dixon, Lake Forest • Alta Duke, La Palma • Bev Perry, Brea • Tod Ridgeway, Newport Beach

**Riverside County:** Marion Ashley, Riverside County • Ron Lovridge, Riverside • Jeff Miller, Corona • Greg Pettis, Calicut City • Ron Roberts, Temecula • Charles White, Moreno Valley

**San Bernardino County:** Paul Blane, San Bernardino County • Bill Alexander, Rancho Cucamonga • Edward Burgin, Town of Apple Valley • Lawrence Dale, Barstow • Lee Ann Garcia, Grand Terrace • Susan Longville, San Bernardino • Gary O'Neil, Ontario • Deborah Robertson, Rialto

**Ventura County:** Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Tom Young, Port Huonme

**Riverside County Transportation Commission:** Robin Lowe, Hemet

**Ventura County Transportation Commission:** Bill Davis, Simi Valley

November 10, 2003

Mr. Ronald J. Kosinski  
Deputy Director  
Division of Environmental Planning  
Department of Transportation  
120 South Spring Street  
Los Angeles, CA 90012-3603

**RE: Comments on the Notice of Scoping / Initiation of Studies the State Route 126 / Commerce Center Drive Grade-Separated Interchange Improvement Project - SCAG No. I 20030620**

Dear Mr. Kosinski:

Thank you for submitting the **Notice of Scoping / Initiation of Studies the State Route 126 / Commerce Center Drive Grade-Separated Interchange Improvement Project** to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

It is recognized that the proposed Project considers a series of studies for a new grade-separated interchange at the State Route 126 and Commerce Center Drive intersection. The proposed Project is located in Los Angeles County.

SCAG has evaluated the **Notice of Scoping / Initiation of Studies** and have determined that the proposed Project is regionally significant and directly relates to the policies and strategies in SCAG's Regional Comprehensive Plan and Guide (RCPG) and Regional Transportation Plan (RTP). The proposed Project involves the construction or expansion of freeways. The proposed Project is consistent with the 2001 RTP, and listed in the 2000/01 - 2005/06 Regional Transportation Improvement Program (Project ID. No.: LAOC 8099).

Policies of SCAG's RCPG and RTP, which may be applicable to your project, are outlined in the attachment. If you have any questions regarding the attached comments, please contact me at (213) 236-1867. Thank you.

Sincerely,

JEFFREY M. SMITH, AICP  
Senior Regional Planner  
Intergovernmental Review

**COMMENTS ON THE  
NOTICE OF SCOPING / INITIATION OF STUDIES  
FOR  
STATE ROUTE 126 / COMMERCE CENTER DRIVE  
GRADE-SEPARATED INTERCHANGE IMPROVEMENT PROJECT  
SCAG NO. I 20030620**

**PROJECT DESCRIPTION**

The proposed Project considers a series of studies for a new grade-separated interchange at the State Route 126 and Commerce Center Drive intersection. The proposed Project is located in Los Angeles County.

**CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES**

The Growth Management Chapter (GMC) of the Regional Comprehensive Plan and Guide contains a number of policies that are particularly applicable to the State Route 126 / Commerce Center Drive Grade-Separated Interchange Improvement Project.

*3.03 The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

**GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE**

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

*3.18 Encourage planned development in locations least likely to cause environmental impacts.*

*3.20 Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered*

*plants and animals.*

- 3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*
- 3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*
- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

#### **REGIONAL TRANSPORTATION PLAN**

**The Regional Transportation Plan (RTP)** also has policies pertinent to this proposed project. This chapter links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. Among the relevant policies of this chapter are the following:

- 4.01 *Transportation investments shall be based on SCAG's adopted Regional performance Indicators.*
- 4.02 *Transportation investments shall mitigate environmental impacts to an acceptable level.*
- 4.03 *Major Investment Studies and other studies of regional transportation facilities shall include consideration of freight movement.*
- 4.04 *Transportation Control Measures shall be a priority.*
- 4.12 *New freeway facilities shall be open for Goods Movement except where safety would prohibit this.*
- 4.16 *Maintaining and operating the existing transportation system will be a priority over expanding capacity.*

### **AIR QUALITY CHAPTER CORE ACTIONS**

The **Air Quality Chapter** core actions related to the proposed project includes:

- 5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulations can be assessed.*
- 5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.*

### **CONCLUSIONS**

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

## SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

### *Roles and Authorities*

THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) is a *Joint Powers Agency* established under California Government Code Section 6502 et seq. Under federal and state law, SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). SCAG's mandated roles and responsibilities include the following:

SCAG is designated by the federal government as the Region's *Metropolitan Planning Organization* and mandated to maintain a continuing, cooperative, and comprehensive transportation planning process resulting in a Regional Transportation Plan and a Regional Transportation Improvement Program pursuant to 23 U.S.C. '134, 49 U.S.C. '5301 et seq., 23 C.F.R. '450, and 49 C.F.R. '613. SCAG is also the designated *Regional Transportation Planning Agency*, and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082 respectively.

SCAG is responsible for developing the demographic projections and the integrated land use, housing, employment, and transportation programs, measures, and strategies portions of the *South Coast Air Quality Management Plan*, pursuant to California Health and Safety Code Section 40460(b)-(c). SCAG is also designated under 42 U.S.C. '7504(a) as a *Co-Lead Agency* for air quality planning for the Central Coast and Southeast Desert Air Basin District.

SCAG is responsible under the Federal Clean Air Act for determining *Conformity* of Projects, Plans and Programs to the State Implementation Plan, pursuant to 42 U.S.C. '7506.

Pursuant to California Government Code Section 65089.2, SCAG is responsible for *reviewing all Congestion Management Plans (CMPs) for consistency with regional transportation plans* required by Section 65080 of the Government Code. SCAG must also evaluate the consistency and compatibility of such programs within the region.

SCAG is the authorized regional agency for *Inter-Governmental Review* of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12,372 (replacing A-95 Review).

SCAG reviews, pursuant to Public Resources Code Sections 21083 and 21087, Environmental Impacts Reports of projects of regional significance for consistency with regional plans [California Environmental Quality Act Guidelines Sections 15206 and 15125(b)].

Pursuant to 33 U.S.C. '1288(a)(2) (Section 208 of the Federal Water Pollution Control Act), SCAG is the authorized *Areawide Waste Treatment Management Planning Agency*.

SCAG is responsible for preparation of the *Regional Housing Needs Assessment*, pursuant to California Government Code Section 65584(a).

SCAG is responsible (with the Association of Bay Area Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments) for preparing the *Southern California Hazardous Waste Management Plan* pursuant to California Health and Safety Code Section 25135.3.



**Penfield & Smith**  
ENGINEERS • SURVEYORS • PLANNERS

210 EAST ENOS DRIVE  
SUITE A  
SANTA MARIA, CALIFORNIA 93454  
805-925-2345 • FAX 805-925-1539

CORPORATE OFFICE  
101 EAST VICTORIA STREET  
P.O. BOX 98  
SANTA BARBARA, CALIFORNIA 93102  
805-963-9532 • FAX 805-966-9301

1327 DEL NORTE ROAD  
SUITE 200  
CAMARILLO, CALIFORNIA 93010  
805-981-0706 • FAX 805-981-0251

W.O. 13863.01

November 19, 2003

Mr. Ronald J. Kosinski, Deputy District Director   
**Division of Environmental Planning**  
**DEPARTMENT OF TRANSPORTATION**  
120 S. Spring Street  
Los Angeles, CA 90012-3606

Attn: Marieka Schrader

**SUBJECT: STATE ROUTE 126 AND COMMERCE CENTER DRIVE**

Dear Marieka:

The Valencia Water Company provides the potable water service in the community surrounding your proposed project. Penfield & Smith is retained by the Water Company to serve as consulting civil engineer. On November 19, 2003 we faxed several exhibits to Cathy Wright of your office to advise you of our existing and proposed water system facilities.

This letter is to reiterate our concern and interest in making sure that an allowance is made for the construction of three water pipelines for Valencia Water Company.

The plan calls for the construction of a 16-inch diameter Zone IA line at 8 feet east of the Commerce Center Drive Center line. Another 16-inch diameter Zone I line will be built 4 feet easterly of the Zone I line, and a future 18-inch diameter raw water line is also being planned. At this time the line is proposed to be located easterly of the other two lines; however, we are flexible on the precise location.

All of these waterlines will have approximately 4' of cover and are normally constructed of PVC pipe material in accordance with the AWWA-C905 Standards.



Mr. Ronald Kosinski  
November 19, 2003  
Page 2

If you need any additional information, feel free to contact the undersigned at (805) 981-0706.

Very truly yours,

**PENFIELD & SMITH**



Patrick J. Reeves, P.E.  
Principal Engineer

PJR:zd

CC: Keith Abercrombie/Valencia Water Company



W.O. 13863.01/PJR to Dept of Transp (state route 126).doc

## PENFIELD &amp; SMITH

\*\*\*\*\*NEW ADDRESS AS OF 6/24/02\*\*\*\*\*

1327 DEL NORTE ROAD, SUITE 200  
CAMARILLO \* CA \* 93010In case of malfunction or missing pages, please call immediately.  
Phone: (805) 981-0706 FAX: (805) 981-0251

## FACSIMILE TRANSMITTAL SHEET

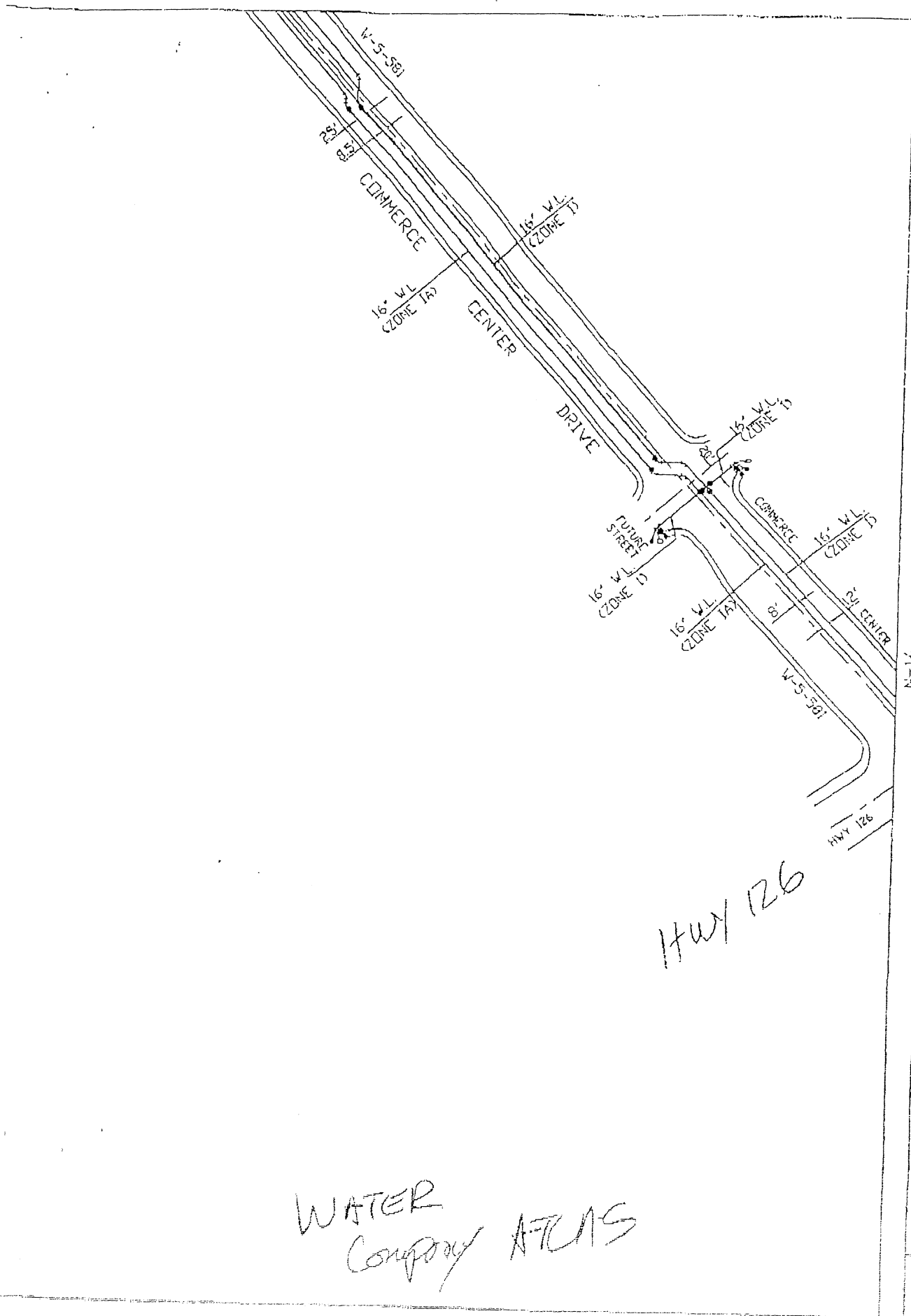
To: Cathy Wright From: PATRICK Reeves  
Company: Caltrans (Environ. Planning) Date: 11-19-03 Time: \_\_\_\_\_  
Fax Number: 213 897-0685 No. of Pages Including Cover: 3  
Your Reference Number: \_\_\_\_\_ P&S Work Order: 13863,01  
RE: Hwy 126 & Commerce Center Drive (07-LA-126-KP R6.8-R9.2  
CC Keith Abercrombie - Valencia WC  
☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY  
☒ HARD COPY TO FOLLOW

Notes/Comments:

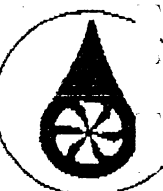
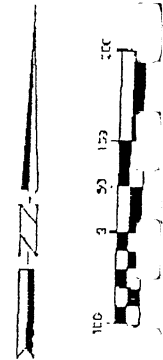
Attached is a sketch showing the WATER Companies  
Two existing WATER Lines and a Proposed  
Location for a Raw WATER Line in case treatment  
is ever warranted on the WATER Lines which  
are shown as existing, actually terminate right  
Now JUST North of the Highway ROW.  
Also attached is a copy of the water company ATLAS maps.

Confidentiality Notice - This facsimile is intended only for the addressee(s) above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, or dissemination of this transmission, or the taking of any action in reliance on its contents or other use is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for its return to us. Thank you for your cooperation.

1327 DEL NORTE ROAD, SUITE 200  
CAMARILLO, CALIFORNIA 93010



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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**VALENCIA WATER COMPANY**

24631 AVENUE ROCKE  
VALENCIA, CA 91322  
(805)294-0124

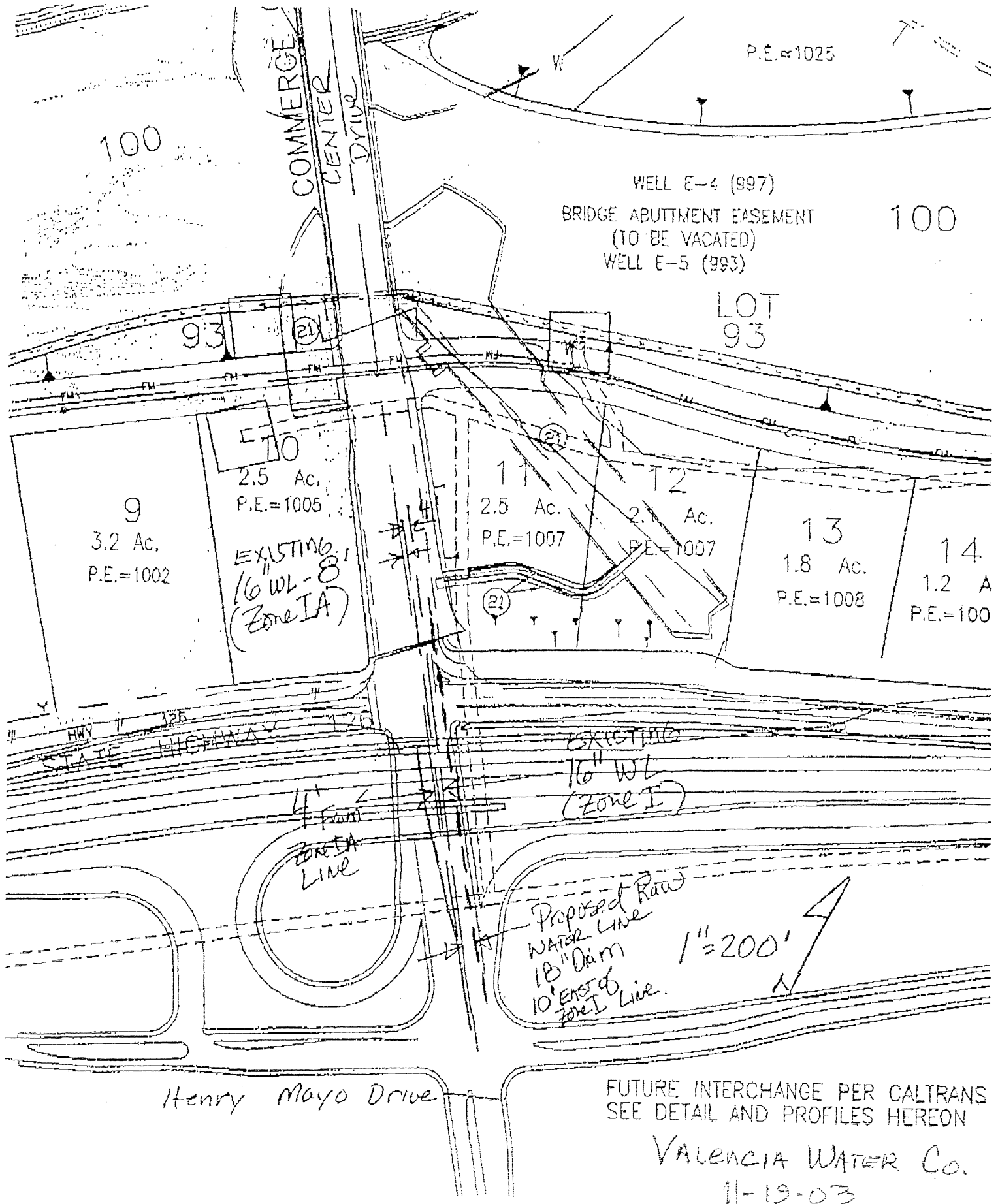
**LEGEND**

- FIRE HYDRANT
- BUTTERFLY VALVE
- GATE VALVE
- REDUCER
- BLOW OFF
- AIR & VACUUM VALVE
- SAMPLE TAP STATION
- REDUCED PRESSURE
- DOUBLE CHECK DETECTOR

**NOTE:**  
This drawing is for  
Valencia Water Co.  
Only facilities shown  
may not show actual  
conditions

**PRESSURE ZONE**  
1 & 1-A  
SHEET 40  
N-13

*WATER  
Company ATLAS*





CASTAIC UNION SCHOOL DISTRICT  
28131 Livingston Avenue  
Valencia, California 91355  
(661)257-4500 (661)257-5737 fax

### FACSIMILE TRANSMITTAL

Date: 12-11-2003

To:

~~Cathy Wright~~  
Marlene Schrader

Fax Number (213) 647-0685

From:

Janine Garcia

Re:

Commerce Center Drive T.C. improvements etc

# of pages:

1 (including this cover sheet)

\*\*\*\*\*

Please include Castaic School District  
with project schedule.

Thank you



## **Appendix G** Responses to Comments





## Index of Comment Letters

Letter Number	Agency	Contact	Date
I	California Regional Water Quality Control Board	Elizabeth Erickson	06/20/2005
II	State Clearinghouse	State of California, Governor's Office of Planning and Research	06/24/2005
III	County of Los Angeles, Department of Parks and Recreation	Bryan Moscardini	07/05/2005
IV	Southern California Association of Governments	Brian Wallace	07/06/2005
V	U.S. Department of Homeland Security (FEMA)	Michael Shore	07/21/2005
VI	South Coast Air Quality Management District (SCAQMD)	Susan Nakamura	07/22/2005
VII	Santa Clarita Sierra Club Group	Henry Schultz	06/28/2005
VIII	Friends of the Santa Clara River	Ron Bottorff, Chair Ron Bottorff, Chair Barbara Wampole Ron Bottorff, Chair	07/01/2005 7/08/2005 7/09/2005 7/11/2005
IX	Los Angeles County Bicycle Coalition	Maria Gutzeit	07/07/2005
X	California Native Plant Society	Ileene Anderson	07/08/2005
XI	Santa Clarita Organization for Planning and the Environment (SCOPE)	Lynne Plabeck	07/08/2005
XII	Center for Biological Diversity	John Buse	07/12/2005
XIII	Schwartz Oil Company, Inc.	Trudy Emeterio	08/26/2005
XIV	Travel Village	Donald Boortz (Heffernan & Boortz)	11/04/2005





Dr. Alan Lloyd  
Secretary for  
Environmental  
Protection

## California Regional Water Quality Control Board

### Los Angeles Region

Over 51 Years Serving Coastal Los Angeles and Ventura Counties

Recipient of the 2001 Environmental Leadership Award from Keep California Beautiful

320 W. 4th Street, Suite 200, Los Angeles, California 90013

Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.arwqcb.ca.gov/rwqcb4>



Arnold Schwarzenegger  
Governor

June 20, 2005

Chris Benz-Blumberg  
California Department of Transportation  
120 South Spring Street  
Los Angeles, CA 90012-3606

Dear Chris Benz-Blumberg,

Re: CEQA Documentation for Project in the Santa Clara Watershed

**Project Title: SR 126/Commerce Center Drive Interchange Project**  
**SCH no. 2003101127**

We appreciate the opportunity to comment on the CEQA documentation for the above-mentioned project. For your information a list of permitting requirements and Regional Board Contacts is provided in Attachment A hereto.

The project site lies in the Santa Clara watershed that was listed as being impaired pursuant to Section 303 (d) of the Clean Water Act. Impairments listed in reaches downstream from the proposed project include nutrients and their effects, salts, coliform bacteria, and historic pesticides. The Los Angeles Regional Water Quality Control Board will be developing Total Maximum Daily Loads (TMDLs) for the watershed, but the proposed project is expected to proceed before applicable TMDLs are adopted. In the interim, the Regional Board must carefully evaluate the potential impacts of new projects that may discharge to impaired waterbodies.

Our review of your documentation shows that it does not include information on how this project will change the loading of these pollutants into the watershed. Please provide the following additional information for both the construction and operational phases of the project.

I-1

I-2

I-3

I-4

I-5

- For each constituent listed above, please provide an estimate of the concentration (ppb) and load (lbs/day) from non-point and point source discharges.
- Estimates of the amount of additional runoff generated by the project during wet and dry seasons.
- Estimate of the amount of increased or decreased percolation due to the project.
- Estimates of the net change in cubic feet per second of groundwater and surface water contributions under historic drought conditions (as compiled by local water purveyors,

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

#### Response to Comment I-1

Comment noted.

#### Response to Comment I-2

The California Regional Water Quality Control Board (RWQCB) stated in Comment I-1 that TMDLs are under development; no constituents are listed above. Once TMDLs are established, the California Department of Transportation (Caltrans) will provide estimated concentrations and load from non-point and point source discharges. Since neither a Storm Water Pollution Prevention Plan (SWPPP) or a Water Pollution Control Program (WPCP) are prepared at this time, the analysis that took place for this project focused on anticipated pollution controls. Measures to minimize harm have already been identified as part of this analysis. Refer to Chapter 3 Section 3.1.4 Page 3-7 of the IS/EA.

#### Response to Comment I-3

During the dry season, the amount of additional runoff is anticipated to be zero. During the wet season, the amount of additional runoff will result from the change in land use from pervious (C = 0.5) to impervious (C=0.9). This increase is applicable only to newly paved areas, which account for approximately 51% of the project site. The peak flows could be approximately 30% higher for local drainage areas depending on the drainage layout. The increases could be mitigated by BMPs. The total monthly runoff of the receiving bodies of water would increase as a result of the construction of additional auxiliary lanes and the replacement of Henry Mayo Drive/Commerce Center Drive interchange within the Santa Clara River floodplain. The increased stormwater runoff would affect approximately 3.79 hectares (9.37 acres) of the Santa Clara River floodplain. The increased stormwater runoff from the project site would increase flow velocities marginally in the Santa Clara River. Potential increased erosion from higher runoff flows would be minimized using erosion control such as rock slope protection. No adverse impacts to downstream channel conditions and sediment loading potential are anticipated.

The scope of the proposed project is to grade separate and reconstruct SR-126 at Commerce Center Drive Interchange. Estimating the mass of pollutant loads transferred to a water body requires knowledge of surface water runoff volume, discharge location, and pollutant load sources for a given area. Alternately, pollutant loads can be assessed on an average annual basis using average pollutant concentration data from other published water quality investigations if available. Data was collected by Caltrans Headquarters Environmental Engineering Unit, from various highway facilities, and represents constituents typically found in highway runoff. Activities associated with pollutants discharged through dry weather flows would be limited to landscape irrigation. The majority of the irrigation water should be absorbed into the freeway slopes or at the bottom of fill. Therefore, dry weather flows should not increase as a result for this project and this impact would be less than adverse. (Please refer to the Storm Water Data Report) which is available under separate cover, for data calculations.

#### Response to Comment I-4

Due to the increase in impervious areas, there will be a decrease in percolation in these areas. The percent decrease will be proportional to the percent increase in impervious surface area, but will be mitigated by BMPs.

#### Response to Comment I-5

The net increase of impervious area in project site represents less than 0.01% of the Santa Clara River watershed, and contributes a similar fraction to the groundwater basin. Because the project site represents a very small fraction of the watershed, it is not likely to adversely affect the contributions under historic drought conditions. With respect to flooding events, the contributions to flood stage are anticipated to be similarly small. Despite that there would be localized slight increases in runoff, these increases would not affect flood stages in the Santa Clara River. Refer to Hydrology Section 3.1 of the IS/EA.

Page 2 of 2

- 2 -

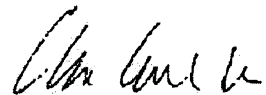
June 20, 2005

the Department of Water Resources, and others), and 10-year 50-year, and 100-year flood conditions.

**I-6** Additional water quality data are necessary to evaluate the cumulative impacts of past development and predict potential impacts of the subject project. Pollutants of concern include sediment, dissolved oxygen, pesticides, metals, and bioassessment.

If you have any questions please call me at (213) 576 6683.

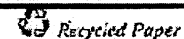
Sincerely,



Elizabeth Erickson  
Associate Geologist, TMDL Unit  
Los Angeles Regional Water Quality Control Board

EE  
Attachments (1)  
cc:  
State Clearinghouse  
File

**California Environmental Protection Agency**



*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

#### Response to Comment I-6

Since neither a Storm Water Pollution Prevention Plan (SWPPP) or a Water Pollution Control Program (WPCP) are prepared at this time, the analysis that took place for this project focused on anticipated pollution controls. Measures to minimize harm have already been identified as part of this analysis. Refer to Chapter 3 Section 3.1.4 Page 3-7 of the IS/EA.

The scope of the proposed project is to grade separate and reconstruct SR-126 at Commerce Center Drive Interchange. Estimating the mass of pollutant loads transferred to a water body requires knowledge of surface water runoff volume, discharge location, and pollutant load sources for a given area. Alternately, pollutant loads can be assessed on an average annual basis using average pollutant concentration data from other published water quality investigations if available. Data was collected by Caltrans Headquarters Environmental Engineering Unit, from various highway facilities, and represents constituents typically found in highway runoff. Activities associated with pollutants discharged through dry weather flows would be limited to landscape irrigation. The majority of the irrigation water should be absorbed into the freeway slopes or at the bottom of fill. Therefore, dry weather flows should not increase as a result for this project and this impact would be less than adverse. (Please refer to the Storm Water Data Report) which is available under separate cover, for data calculations.

## ATTACHMENT A

- ✓ If the proposed project will result in a discharge of dredge or fill into a surface water (including a dry streambed), and is subject to a federal license or permit, the project may require a *Section 401 Water Quality Certification*, or waiver of Waste Discharge Requirements. For further information, please contact:

Valerie Carillo, Nonpoint Source Unit at (213) 576-8789.

- ✓ If the project involves inland disposal of nonhazardous contaminated soils and materials, the proposed project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Rodney Nelson, Landfills Unit, at (213) 620-6119

\*\*\*\*\*

- ✓ If the overall project area is larger than five acres, the proposed project may be subject to the State Board's *General Construction Activity Storm Water Permit*. For further information, please contact:

Tracy Woods, Statewide General Construction Activity Storm Water Permits at (213) 620-2095.

- ✓ If the project involves a facility that is proposing to discharge storm water associated with industrial activity (e.g., manufacturing, recycling and transportation facilities, etc.), the facility may be subject to the State Board's *General Industrial Activities Storm Water Permit*. For further information, please contact:

Kristie Chung, Statewide General Industrial Storm Water Permits at (213) 620-2283.

- ✓ If the proposed project involves requirements for new development and construction pertaining to municipal storm water programs, please contact:

Don Radulescu, Municipal Storm Water Permits, Los Angeles County at (213) 620-2038;  
Jeff Mack, Municipal Storm Water Permits, Ventura County at (213) 620-2121.

- ✓ The proposed project also shall comply with the local regulations associated with the applicable Regional Board stormwater permit:

Los Angeles County and Co-permittees:  
NPDES No. CAS614001  
Waste Discharge Requirements Order No. 96-054.

Long Beach County and Co-permittees:  
NPDES CAS004003  
Waste Discharge Requirements Order No. 99-060.

Ventura County and Co-permittees:  
NPDES No. CAS004002  
Waste Discharge Requirements Order No. 00-108.

\*\*\*\*\*

- ✓ If the proposed project involves any construction and/or groundwater dewatering to be discharged to surface waters, the project may be subject to *NPDES/Waste Discharge Requirements*. For further information, please contact:

Augustine Anjilelo, General Permitting and Special Projects Unit at (213) 576-6657 (All Region 4 Watersheds).

- ✓ If the proposed project involves any construction and/or groundwater dewatering to be discharged to land or groundwater, the project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Kwang-il Lee, Non-Chapter 15 Unit, at (213) 620-2269 (All Region 4 Watersheds).

Revised : March 11, 2004

Response to Comment II-1

One comment letter was received from the California Regional Water Quality Control Board, dated June 20, 2005. See Comment Letter I.



Arnold  
Schwarzenegger  
Governor

June 24, 2005

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Sean Walsh  
Director

Chris Benz-Blumberg  
Department of Transportation, District 7  
120 South Spring Street  
Los Angeles, CA 90012-3606

Subject: SR 126/Commerce Center Drive Interchange Project  
SCH#: 2003101127

Dear Chris Benz-Blumberg:

**II-1**

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on June 23, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2003101127  
**Project Title** SR 126/Commerce Center Drive Interchange Project  
**Lead Agency** Caltrans #7

**Type** Neg Negative Declaration

**Description** The California Department of Transportation (Caltrans) District 7, in coordination with the Federal Highway Administration, Los Angeles County, the Newhall Land and Farming Company, proposes to construct a grade-separated interchange at the existing, signalized intersection of State Route 126 (SR-126) and Commerce Center Drive. The proposed project is located northwest of the City of Santa Clarita in Los Angeles County. As part of this proposed interchange project, SR-126 would be realigned to the south over a recently constructed embankment. The project would also result in the reconfiguration of the existing Commerce Center Drive / Henry Mayo Drive intersection to the South.

**Lead Agency Contact**

**Name** Chris Benz-Blumberg  
**Agency** Department of Transportation, District 7  
**Phone** 213-897-0674 **Fax**  
**email**  
**Address** 120 South Spring Street  
**City** Los Angeles **State** CA **Zip** 90012-3606

**Project Location**

**County** Los Angeles  
**City** Santa Clarita  
**Region**  
**Cross Streets** Commerce Center Drive and State Route 126  
**Parcel No.**  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** SR-126  
**Airports**  
**Railways** UPRR  
**Waterways** Santa Clara River  
**Schools**  
**Land Use** Transportation

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Coastal Zone; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Landuse; Noise; Population/Housing Balance; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Regional Water Quality Control Board, Region 4; Air Resources Board, Transportation Projects; Native American Heritage Commission; Santa Monica Mountains Conservancy

**Date Received** 05/23/2005 **Start of Review** 05/23/2005 **End of Review** 06/23/2005

Note: Blanks in data fields result from insufficient information provided by lead agency



07/06/2005 06:57 2134870388

PARKS AND REC 4TH FL

PAGE 01/02

Bryan Moscardini  
510 South Vermont Avenue Suite 201  
Los Angeles, CA 90020  
(213) 351- 5133/ fax 213 639-3959

COUNTY OF LOS  
ANGELES  
DEPARTMENT OF  
PARKS AND  
RECREATION

# Fax

<b>To:</b>	Chris Benz-Blumberg	<b>From:</b>	Bryan Moscardini
<b>Fax:</b>	213 897-0685	<b>Pages:</b>	2 Including this
<b>Phone:</b>	213 897-0674	<b>Date:</b>	7/6/2005
<b>Re:</b>	SR126 / Commerce Center Interchange	<b>CC:</b>	

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

• **Comments:**

Chris,

I'm faxing you our Department's response letter to the above document, with hard copy to follow via U. S. Mail.

Bryan Moscardini  
Park Project Coordinator

Response to Comment III-1

During final design (plans, specifications, and estimates), the proposed County Master Plan Trails 71 and 74 will be accommodated by identifying the proposed trails as future conditions. If the proposed trails are completed prior to construction, then public access to use the trails will be maintained, but temporary closures may occur during coordination with traffic management plans.

07/06/2005 06:57 2134870380

PARKS AND REC 4TH FL

PAGE 02/02



COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
*"Creating Community Through People, Parks and Programs"*



July 5, 2005

Ronald Kosinski,  
Deputy District Director  
Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, Ca 90012-3606

Dear Mr. Kosinski:

**INITIAL STUDY/ENVIRONMENTAL ASSESSMENT (IS/EA) FOR A  
NEGATIVE DECLARATION (ND) FOR THE  
SR 126/COMMERCE CENTER DRIVE INTERCHANGE PROJECT**

**III-1**

The IS/EA for a ND for the SR 126/Commerce Center Drive Interchange Project has been reviewed for potential impact on the facilities of this Department. The proposed project may impact County Proposed Master Plan Trails #'s 71 (Santa Clara River Trail), 74 (Castaic Creek Trail) and 118 (Hasley Canyon Trail). Impacts will require a 12-foot wide trail easement outside of the County road right-of-way. A construction detour for the trail will need to be provided with path and scheduling of detour to be approved by the County. For trail inquiries, please contact Mr. Jeremy Bok, Acting Park Planner, at 213 351-5137.

Thank you for including this Department in the review of this notice. If we may be of further assistance, please contact me at (213) 351-5133.

Sincerely,

Bryan Moscardini  
Park Project Coordinator

BM(c:\response-DOT-SR126)

c: Kathleen Ritner, DPR  
Jeremy Bok, DPR

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

**Main Office**

818 West Seventh Street  
12th Floor  
Los Angeles, California  
90017-3435

T (213) 236-1800  
F (213) 236-1825

www.scag.ca.gov

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First Vice President: Wayne Burke, Los Angeles  
County • Second Vice President: Gary O'Neil, San  
Bernardino County • Immediate Past President:  
Ron Roberts, Temecula

**IV-2**  
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• Jon Edney, El Centro

Los Angeles County: Penny Burke, Los Angeles  
County • Zoe Krasodsky, Los Angeles County •  
Ian Rindler, Manhattan Beach • Harry Salowie,  
San Gabriel • Paul Bowler, Glendale • Tony  
Carreras, Los Angeles • Stan Camilli, La Habra  
Hights • Margaret Clark, Rosemead • Gene  
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Orange County: Chris Nothy, Orange County •  
Christine Barnes, La Palma • John Beaumont,  
Brea • Lou Bise, Irvine • Art Brown, Buena Park  
• Richard Chavez, Anaheim • Debbie Cook,  
Huntington Beach • Cathryn DeYoung, Laguna  
Niguel • Richard Dixon, Lake Forest • Marilyn  
Fue, Los Alamitos • Ted Ridgeway, Newport  
Beach

Riverside County: Jeff Stone, Riverside County •  
Thomas Buckler, Lake Elsinore • Bonnie  
Flickinger, Moreno Valley • Rex Lovelidge,  
Riverside • Greg Pettit, Cathedral City • Ron  
Roberts, Temecula

San Bernardino County: Gary O'Neil, San  
Bernardino County • Lawrence Dale, Barstow •  
Paul Eiler, Montclair • Lee Ann Gurtis, Grand  
Terrace • Tim Jasper, Town of Apple Valley • Larry  
McKellon, Highland • Deborah Robertson, Rialto  
• Alan Wapori, Ontario

Ventura County: Jody Makers, Ventura County •  
Glen Rivera, Santa Valley • Carl Mounthouse, San  
Buenaventura • Tom Young, Port Hueneme

Orange County Transportation Authority: Lori  
Corral, County of Orange

Riverside County Transportation Commission:  
Robin Lowe, Hemet

Ventura County Transportation Commission:  
Keith Mounthouse, Moorpark

© Printed on Recycled Paper

6 July 2005

Mr. Ronald Kosinski  
Deputy District Director  
Attn: Chris Benz-Blumberg  
Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, CA 90012-3606

RE: SCAG Comments on the Initial Study/Environmental Assessment (IS/EA) for the SR  
126/Commerce Center Drive Interchange Project  
SCAG No. I 20050346

Dear Mr. Kosinski:

Thank you for submitting Initial Study/Environmental Assessment for the SR 126/Commerce  
Center Drive Interchange Project to the Southern California Association of Governments  
(SCAG) for review and comment. SCAG's responsibility as the region's clearinghouse per  
Executive Order 12372 includes the implementation of California Environmental Quality Act  
(CEQA) §15125 [d]. This legislation requires the review of local plans, projects and  
programs for consistency with regional plans.

SCAG staff has evaluated your submission for consistency with the Regional  
Comprehensive Plan and Guide (RCPG) and the Regional Transportation Plan (RTP). The  
IS/EA appropriately responds to our comment letter on the original Notice of Scoping for  
this project. Based on the information provided in the IS/EA we have no further comments.

A description of the proposed Project was published in the May 15-31, 2005  
Intergovernmental Review Clearinghouse Report for public review and comment.

If you have any questions, please contact me at (213) 236-1851. Thank you.

Sincerely,

Brian Wallace  
Associate Regional Planner  
Intergovernmental Review

DOCS # 111949v1

Response to Comment IV-1

Comment noted.

Response to Comment IV-2

Comment noted.

U.S. Department of Homeland Security  
1111 Broadway, Suite 1200  
Oakland, CA. 94607-4052



**FEMA**

July 21, 2005

Ronald J. Kosinski, Deputy District Director  
Division of Environmental Planning  
Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, CA 90012-3606  
Attn: Chris Benz-Blumberg

Dear Mr. Benz-Blumberg:

This is in response to your request for comments on the Draft Initial Study/Environmental Assessment SR 126/Commerce Center Drive Interchange Project (State Route 126 and Commerce Center Drive County of Los Angeles, State of California 07-LA-126-KP R6.8 – R9.2 dated May 2005).

**V-1** The County of Los Angeles, State of California, is a participant in the National Flood Insurance Program (NFIP). Please review the current effective Flood Insurance Rate Maps (FIRMs) for revisions to panels 0340B and 0345B.

The minimum, basic NFIP floodplain management building requirements are described in Title 44CFR, Sections 59 through 65. A summary of these NFIP floodplain management building requirements are as follows:

- V-2** • All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- V-3** • If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise in permitted within regulatory floodways.

www.fema.gov

#### Response to Comment V-1

The Floodplain Evaluation report evaluated the most current available FIRM map, including the revisions to panels 0340B and 0345B.

#### Response to Comment V-2

This is a transportation improvement project. Buildings are not part of this project.

#### Response to Comment V-3

The Location hydraulic Study dated August 2004 shows that in a worst case scenario, roadway embankment reduces the floodplain width from 393 meters to 229 meters (1,289 feet to 981 feet). The Location Hydraulic Study calculated a maximum difference of water surface elevation of 0.19 Meters (0.62 feet) at cross section 23.04 in the floodplain fringe.

To avoid damage to existing structures within the floodplain, FEMA criteria normally limits cumulative increases in the 100-year base flood elevation to less than 1 foot. Since there are no existing structures within the floodplain and the maximum impact on the water surface is within FEMA guidelines, the proposed embankment does not have a significant impact on the floodplain of the Santa Clara River. Based on a discussion with the LACDPW Planning Division, the County has adopted the FEMA floodplain management guideline. Please refer to Section 3.10.1 in the IS/EA.

Several alternatives have been studied for this project. The floodplains on both the north and south sides of SR-126 create a unique design challenge. The Preferred Alternative proposes an interchange design that complies with safety standards while reducing the total affected floodplain area. In addition, temporary impacts due to construction activity will be minimized through the implementation of normal construction precautions, and any additional measures specified in permit conditions will be developed during the permit process.

Permanent impacted floodplain values will be mitigated offsite through implementation of the Riparian Habitat Mitigation Program as outlined in the Environmental Impact Statement/Environmental Impact Report for the 404 Permit and 1603 Streambed Alteration Agreement (USACE and CDFG, 1998).

Chris Benz-Blumberg  
 July 20, 2005  
 Page 2

V-4

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with Title CFR44, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at [http://www.fema.gov/mit/tsd/dl\\_mt-2.htm](http://www.fema.gov/mit/tsd/dl_mt-2.htm)

**Please Note:**

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in Title 44CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The County of Los Angeles floodplain manager can be reached by calling the Public Works/Planning Department at (626) 458-4321.

If you have any questions or concerns, please do not hesitate to call Cynthia McKenzie of my staff at (510) 627-7190.

Sincerely,



For: Michael Shore  
 Branch Chief  
 Community Mitigation Programs

cc:  
 Salomon Miranda, CA DWR, Southern District  
 Cynthia McKenzie, DHS/FEMA Flood Planner, Region IX  
 Alessandro Amaglio, Environmental Project Specialist, DHS/FEMA Region IX

[www.fema.gov](http://www.fema.gov)

Response to Comment V-4

In 1998, Valencia Company (now known as Newhall Land), with the oversight and approval of the California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service, prepared the Natural River Management Plan (NRMP) Valencia Company, 1998. The document analyzed impacts resulting from Newhall Land projects for the next 20 years, including the addition of river-bank protection; and the construction of new bridges, inlet structures, utility lines, and storm drain outlets. The document also provides a mitigation program for several proposed projects adjacent to the Santa Clara River. Under the NRMP, rock slope protection is proposed near the future Commerce Center Drive Bridge to prevent erosion of the embankment. The current embankment for Henry Mayo Drive is consistent with that of the NRMP. Therefore, the proposed project is consistent with the NRMP.

Because the Proposed project will encroach upon the base floodplain, the project sponsor must submit a Letter of Map Revision to FEMA. Typically a Letter of Map Revision is submitted and approved by FEMA prior to construction. Submittal of this revision would enable the project to be consistent with the Los Angeles County Floodplain Watershed Management Program. Permanent floodplain values will be mitigated offsite through implementation of the Riparian Habitat Mitigation Program as outlined in the Environmental Impact Statement/Environmental Impact Report for the 404 Permit and 1603 Streambed Alteration Agreement (USACE and CDFG, 1998).



**South Coast  
Air Quality Management District**  
21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

FAXED: JULY 22, 2005

July 22, 2005

Mr. Ronald J. Kosinski, Deputy District Director  
Division of Environmental Planning  
California Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, CA 90012-3606  
Attn: Chris Benz-Blumberg

**Draft Initial Study/Environmental Assessment and Negative Declaration for the  
Proposed SR 126/Commerce Center Drive Interchange Project**

**VI-1**

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD also appreciates the additional time allowed to review the Draft ND for the proposed project and provide comments. As a commenting agency for the proposed project, the SCAQMD staff finds that the air quality analysis in the Draft ND is inadequate primarily because construction air quality impacts are not quantified, and it is likely that the air quality impacts would be significant. Therefore, the SCAQMD staff recommends that the lead agency revise the air quality analysis and quantify construction and operational impacts.

**VI-2**

The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final Environmental Assessment. Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Assessment.

**Response to Comment VI-1**

The construction and operational emission impacts were revised utilizing the CARBEMIS 2002 (Version 8.7) model, on-road emissions factors from SCAQMD, and followed the SCAQMD CEQA Handbook (SCAQMD, 1993). Results of the revised air quality analysis were compared to the SCAQMD's significance thresholds.

Construction emissions were quantified assuming the greatest overlap of construction equipment utilization and soil disturbing activities. Results for construction emissions were determined to be below the SCAQMD CEQA significant thresholds; therefore, construction emissions would be less than adverse.

For construction operations which generate fugitive dust emissions, best available control measures (BACMS) from SCAQMD Rule 403 will be incorporated into the contract specifications (Dust Control Plan). (Please refer to Table 3.3-4 in the IS/EA.)

Operational air emissions were revised and demonstrated project-level conformity because project emissions would not cause or contribute to a local violation of the CO or PM<sub>10</sub> NAAQS. (Please refer to page 3-18 in the IS/EA.)

**Response to Comment VI-2**

Responses to all comments received will be available for review prior to any adoption of the Final ND in accordance with Public Resource Code Section 21092.5(b). Notices of availability of the final ND and EA/FONSI will be sent to the State Intergovernmental Clearing House under Executive Order 12372. The FONSI will be available to the public for at least 30 days prior to the FHWA's Final Determination. (40CFR 1501.4(e)(2)). A copy of the final IS/EA will be sent to all parties that commented on the environmental document.

Mr. Ronald J. Kosinski,  
Deputy District Director

-2-

July 22, 2005

The SCAQMD staff would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,

Susan Nakamura  
Planning & Rules Manager  
Planning, Rule Development & Area Sources

Attachment

SN:GM

LAC050524-03  
Control Number

Mr. Ronald J. Kosinski,  
Deputy District Director

A-1-

July 22, 2005

**Draft Initial Study/Environmental Assessment and Negative Declaration for the  
Proposed SR 126/Commerce Center Drive Interchange Project**

- V1-3** 1. In Section 3.3 Air Quality in the Draft Initial Study/Environmental Assessment and Negative Declaration (Draft ND/EA), the lead agency has determined on page 3-21 that although short-term air quality impacts would cause an adverse impact, the impacts would be temporary in nature and therefore the lead agency concludes on page 3-24 that construction impacts with mitigation “will not be adverse.” The lead agency did not, however, support its conclusions by quantifying the proposed project’s construction air quality impacts or the control efficiencies of the mitigation measures proposed by the lead agency in Section 3.3.4.
- V1-4** Because the short-term emissions may be temporary in nature does not mean they are insignificant. For example, the attainment status of an area is based on whether or not there are daily exceedances of the applicable ambient air quality standard. Consequently, projects that exceed the SCAQMD short-term daily emissions significance thresholds from a project could potentially affect the attainment status of the area in which it is located and, therefore should be considered significant.
- V1-5** It is also important for the lead agency to actually quantify all project air quality impacts because although the proposed construction activities are temporary in nature, sensitive receptors such as residences located near the proposed site (see comment #3) may be exposed to emissions from fugitive dust, off- and on-road vehicles and equipment such as bull dozers, cranes, graders, loaders, water trucks, etc., architectural coatings and other emission sources listed in the project description. The SCAQMD therefore recommends that for this current project and for future projects that the lead agency quantify short-term air quality impacts.
- V1-6** Pursuant to CEQA Guidelines §15147, the Draft ND/EA should contain sufficient technical detail to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Although precise information may not be available to estimate construction air quality impacts, the lead agency should make emission estimates based on reasonable assumptions regarding the construction phases and schedule, the type and size of construction equipment that are available based on the proposed project description. Therefore, the Final ND/EA should include emission estimates, emission factors, methodologies and control efficiencies for any proposed mitigation measures from the soil disturbance sources of the construction project. This information could be included in the Final ND/EA as part of the narration or as an appendix. Otherwise, the lead agency has not demonstrated that construction PM10 air quality impacts are less than significant To quantify air quality impacts, the lead agency can utilize the current CARB URBEMIS 2002 emissions model, which can be accessed at <http://www.aqmd.gov/ceqa/urbemis.html> or follow the calculation methodologies in Chapter 9 and the Appendix to Chapter 9 in the South Coast AQMD’s CEQA Air Quality Handbook.

**Response to Comment VI-3**

The construction emission impacts were quantified following SCAQMD CEQA handbook methodology and the CARB URBEMIS2002 model. The construction emissions were compared to the SCAQMD significance thresholds to determine whether the impacts would be significant. See response to comment VI-1 Construction emissions were determined to be less than significant, however for fugitive dust emissions BACMS from SCAQMD Rule 403 were identified as mitigation. (Please refer to Table 3.3-4 on page 3-22 in the IS/EA.)

**Response to Comment VI-4**

The construction emission impacts were quantified following SCAQMD CEQA handbook methodology and the CARB URBEMIS2002 model. The construction emissions were compared to the SCAQMD significance thresholds to determine whether the impacts would be significant. Short-term daily emission s significance thresholds were not exceeded. (Please refer to Table 3.3-4 on page 3-22 in the IS/EA.)

**Response to Comment VI-5**

The construction emission impacts were quantified following SCAQMD CEQA handbook methodology and the CARB URBEMIS2002 model. The construction emissions were compared to the SCAQMD significance thresholds to determine whether the impacts would be significant. (Please refer to Table 3.3-4 on page 3-22 in the IS/EA.)

**Response to Comment VI-6**

The construction emission impacts were quantified following SCAQMD CEQA handbook methodology and the CARB URBEMIS2002 model. The construction emissions were compared to the SCAQMD significance thresholds to determine whether the impacts would be significant. The detailed construction emissions estimates, emission factors, and methodologies will be provided in an appendix. See response to comment VI-1. (Please refer to Table 3.3-4 on page 3-22 in the IS/EA and Appendix B in the AQ Tech Report.)



Mr. Ronald J. Kosinski,  
Deputy District Director

A-2

July 22, 2005

**Draft Initial Study/Environmental Assessment for the Proposed SR 126/Commerce  
Center Drive Interchange Project**

- VI-7** In the event that quantification of the construction air quality impacts from the proposed project, exceed established significance thresholds, mitigation measures may be necessary (see comment #3). In addition to identifying feasible mitigation measures, the lead agency should specify the control efficiency of each mitigation measure (if one is available) and apply the control efficiency to the total emissions estimated for the project. In this way the lead agency can quantitatively determine the significance of air quality impacts from the proposed project.
- VI-8** 2. The lead agency on page 3-17 states that because the proposed project is included in the 2004 Regional Transportation Improvement Program (RTIP), the proposed project would not cause an adverse regional impact. Even though the proposed project air quality impacts were modeled by the Southern California Association of Governments (SCAG) and conforms at the regional level, project air quality impacts should still be quantified for local operational impacts by the lead agency, compared with recognized operational daily significance thresholds and included in the Final CEQA document pursuant to CEQA Guidelines §15147 (see comment #1).
- VI-9** 3. In Tables 3.3-4, 3.3-5 and 3.3-6 on pages 3-22 through 3-24, the lead agency has listed mitigation measures from the SCAQMD Rule 403 Implementation Handbook (January 1999). In the Final ND, the lead agency should list those mitigation measures the lead agency will actually implement from the tables or add a statement to Section 3.3.4 under Construction Mitigation that would state to the effect that the lead agency intends to implement all of the measures listed in Tables 3.3-4, 3.3-5 and 3.3-6.
- VI-10** 4. On page 3-142 there is mention of eight properties within the area potentially affected by the proposed project. In the Final ND, it would be helpful if the lead agency identified the land uses of these properties and estimated the distances from the existing properties to each respective proposed project boundary. This would help identify any potential sensitive receptors that might be impacted by any potential project air quality impacts.
- VI-11** 5. The CO hotspots analysis was prepared according to the screening procedure presented in the *Transportation Project-Level Carbon Monoxide Protocol (CO Protocol)* by the Institute of Transportation Studies UC Davis, revised December 1997. The CO Protocol screen methodology was developed using EMFAC7F emission factors.

**Response to Comment VI-7**

The construction emission impacts were quantified following SCAQMD CEQA handbook methodology and the CARB URBEMIS2002 model. The construction emissions were compared to the SCAQMD significance thresholds to determine whether the impacts would be significant and determined to be less than significant. (Please refer to Table 3.3-4 on page 3-22 in the IS/EA.)

**Response to Comment VI-8**

Project level air quality impacts were quantified for local operational impacts and compared to significance thresholds following the June 2003 Localized Significance Threshold Methodology. See response to comment VI-1. (Refer to page 3-17 in the IS/EA.)

**Response to Comment VI-9**

Control measures from Table 3.3-5 are identified for implementation.

**Response to Comment VI-10**

The eight properties and their proximity to the proposed project are shown on Figure 3.19-1 on page 3-143. The Air Quality analysis considered all potential sensitive receptors within the influence of the project area which included these eight locations. Air quality impacts are discussed in greater detail in section 3.3.2 of the IS/EA page 3-18.

**Response to Comment VI-11**

Comment Noted

Mr. Ronald J. Kosinski,  
Deputy District Director

A-3

July 22, 2005

**Draft Initial Study/Environmental Assessment for the Proposed SR 126/Commerce  
Center Drive Interchange Project**

**VI-12**

EPA approved EMFAC2002 as the only emission factor model for CO hotspots analyses in California on April 1, 2003 (Federal Register, Volume 68, Number 62, April 1, 2003). The grace period for using EMFAC7F ended June 30, 2003. Since the emission factors used for CO concentration estimation in the CO Protocol screening procedure are not approved by EPA and cannot be simply updated with EMFAC2002 emission factors, SCAQMD recommends that the lead agency remodel CO concentration according to the detailed analysis procedure presented in the CO Protocol with EMFAC2002 emission factors. EMFAC2002 can be downloaded from the Air Resources Board website at [http://www.arb.ca.gov/msei/on-road/latest\\_version.htm](http://www.arb.ca.gov/msei/on-road/latest_version.htm).

**VI-13**

6. Traffic volumes were not provided to SCAQMD. Since traffic volumes were not provided, SCAQMD could not verify the traffic volumes used in the CO hotspots analysis. Traffic volumes should be provided in the Final MND.

**VI-14**

7. In the event that quantification of the construction air quality impacts from the proposed project exceed established daily significance thresholds for PM10 (fugitive dust) emissions, the SCAQMD recommends the following mitigation measures to reduce construction-related PM10 fugitive dust emissions from the proposed project, if applicable and feasible:

- a. Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive ten days or more).
- b. Implement a shuttle service to and from retail services and food establishments during lunch hours.
- c. Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
- d. Use low sulfur diesel or alternative clean fuel such as compressed natural-gas powered construction equipment with oxidation catalysts.
- e. Configure construction parking to minimize traffic interference.
- f. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- g. Schedule construction activities that affect traffic flow on the arterial system to off-peak hour to the extent practicable.
- h. Reroute construction trucks away from congested streets or sensitive receptor areas.
- i. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

**Response to Comment VI-12**

The CO hotspot analysis was updated using the methodologies outlined in the CO protocol, EMFAC2002 emission factors and CAL3QHC where appropriate. The tables of predicted impacts in Appendix A of the CO protocol in the Air Quality Technical Study were not used to quantify project level impacts.

**Response to Comment VI-13**

The traffic volumes were displayed in Figure 1.2-1 and Figure 1.2-2 of the IS/EA.

**Response to Comment VI-14**

The PM<sub>10</sub> mitigation measures provided by SCAQMD were reviewed and implemented as appropriate to the project. (Please refer to section 3.3.4 and Appendix C in the IS/EA.)

Mr. Ronald J. Kosinski,  
Deputy District Director

A-4

July 22, 2005

**Draft Initial Study/Environmental Assessment for the Proposed SR 126/Commerce  
Center Drive Interchange Project**

**VI-14** j. Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.

8. In the event that quantification of the construction air quality impacts from the proposed project exceed established daily significance thresholds for Oxides of Nitrogen (NO<sub>x</sub>), the SCAQMD recommends the following mitigation measures to those mitigation measures proposed on page 3-24 to further reduce construction NO<sub>x</sub> impacts from the project, if applicable and feasible:

**VI-15**

- Prohibit truck idling in excess of five minutes.
- Configure construction parking to minimize traffic interference.
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Use electricity from power poles rather than temporary diesel generators.
- Give preferential consideration to contractors who use clean fuel construction equipment; emulsified diesel fuels; construction equipment that uses low sulfur diesel and is equipped with oxidation catalysts, particulate traps, or other retrofit technologies, etc.

**Response to Comment VI-15**

The NO<sub>x</sub> mitigation measures provided by SCAQMD were reviewed and implemented as appropriate to the project. (Please refer to Section 3.3.4 and Appendix C in the IS/EA.)

VII-1

California Department of Transportation (Caltrans) June 28, 2005  
Attn: Chris Benz-Blumberg, Environmental Planner  
Division of Environmental Planning, District 7 – Los Angeles  
120 South Spring Street  
Los Angeles, California 90012  
[chris.benz-blumberg@dot.ca.gov](mailto:chris.benz-blumberg@dot.ca.gov)

Re: SR-126/Commerce Center Drive Interchange Project

Dear Chris Benz-Blumberg:

Thank you for the opportunity to make comments on the DRAFT INITIAL STUDY/ENVIRONMENTAL ASSESSMENT for the SR-126/Commerce project. On p. 57 it is stated that "This proposed project results in adverse impacts to the following environmental resource areas: topography, geology, and soils; use of nonrenewable resources; hazardous materials; hydrology, drainage, and water quality; air quality; noise levels; light and glare; biological resources; land use; traffic and transportation; and construction-related impacts. With the incorporation of measures to minimize harm, there will be no adverse impacts resulting from the project."

VII-2

The location of the Henry Mayo/Commerce intersection within the river floodplain is a major concern. As stated on p. 65 there will be increased soil erosion and river velocity. The proposed mitigations are insufficient to "minimize" the harm. This configuration forces the eventual bridge across the river even further into the floodplain. A much better mitigation would be to move the over/underpass north to retract the project footprint from the floodplain and not restrict river flow while reducing the required stabilization.

VII-3

It is stated that the reason for the construction of this project is to alleviate regional traffic problems caused by upcoming development. Please note that virtually all the traffic flow problems are the result of the commerce park and proposed new residential Newhall Ranch project. A better alternative mitigation would then be to reduce the density of these projects – certainly Newhall Ranch as proposed is far too dense for a riparian sited community.

Thank you for your kind attention.

Sincerely,

Henry Schultz  
Santa Clarita Sierra Club Group  
21827 Parvin Dr.  
Santa Clarita, CA 91350  
661-284-5613 [henry50@pacbell.net](mailto:henry50@pacbell.net)

#### Response to Comment VII-1

This section has been changed to state that: "There are no adverse impacts for this project based on the findings of the environmental analysis." (Refer to Chapter Section 2 Section 2.4 pages 2-19 to 2-22).

#### Response to Comment VII-2

All of the alternatives being analyzed for this project include a redesigned intersection at Henry Mayo Drive at Commerce Center Drive. The preferred alternative represents the design with the least amount of impact to the floodplain. Alternative "A" will encroach into the floodplain approximately the same distance as the preferred alternative, but the intersection geometry at Henry Mayo is proposed to be larger than that of the preferred alternative. Alternative "B" is proposed to encroach further into the floodplain than the preferred alternative and will therefore, have a greater impact to the floodplain itself.

Shifting the location of the bridge across Commerce Center Drive to the north is not feasible. The existing Castaic Creek Bridge, to the north of the proposed interchange, sets the limits or work on the north edge of the project. Aside from those constraints, the constructability of the project would be significantly compromised if the proposed SR 126 were to be along the same alignment as the existing road. Additionally, there needs to be sufficient intersection spacing for safe traffic operations between Henry Mayo Drive and the westbound SR 126 ramps on Commerce Center Drive.

Please refer to Figures 2.2-2, 2.3-1, and 2.3-2 in Section 2 of this IS/EA.

#### Response to Comment VII-3

The project is intended to provide for traffic generated by planned growth and development in the surrounding area. Caltrans has no land use or zoning authority.



## Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

July 1, 2005

Ronald J. Kosinski, Deputy Project Director  
Division of Environmental Planning  
Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, CA 90012-3036  
Attn: Chris Blumberg

### Board of Directors

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**VIII-1**  
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L.A./Santa Monica  
Mountains Chapter

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(SCOPE)

Sierra Club  
Angeles Chapter  
Los Padres Chapter

Surfrider Foundation

Audubon Society  
Ventura Chapter

**VIII-3**  
Ventura County  
Environmental  
Coalition

Wishoyo  
Foundation

Re: Draft Initial Study/Environmental Assessment, SR 126/Commerce  
Center Drive Interchange Project

Dear Mr. Kosinski, *RL*

Friends of the Santa Clara River presents the following comments on the subject project.

The project, as proposed, will be growth inducing and should not be pursued in advance of approvals for Mission Village, a phase of Newhall Ranch that would, if approved as designed, connect via a bridge with Commerce Center Drive.

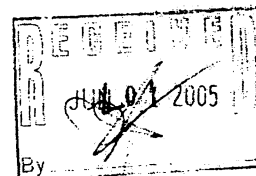
The project involves direct and significant impacts to over 10 acres of riparian habitat as well as impacts to critical habitat for the least Bell's vireo, a federal and state endangered bird. A full Environmental Impact Report is needed for the project that addresses the effect of the project on the recovery of the vireo. The EA fails to offer an Alternative that avoids or minimizes impacts to the Santa Clara River floodplain and to least Bell's vireo critical habitat. This must be corrected via an EIR.

There is no map delineating the NRMP in the document. The Valencia Company's Natural River Management Plan, which is the basis for Army Corps of Engineers permits in the project area, must be re-opened and re-evaluated including public testimony, because it has allowed floodplain and river terrace encroachment that is causing extensive degradation to biological resources. The Corps must do a thorough analysis of the cumulative impacts of permits it is issuing for massive development projects on the Santa Clara River. The EIR must address this issue.

Sincerely,

*Ron Bottorff*

Ron Bottorff, Chair



### Response to Comment VIII-1

The project responds to approved development and accommodates planned growth in the area. Traffic forecasts for 2025 show that the current facility would be at its capacity. As such the project is not considered as growth inducing.

### Response to Comment VIII-2

Recovery responsibilities will be with the appropriate agency as defined through the NRMP not with Caltrans and not as part of the NES process. The NES guidelines do require an assessment of the negative and positive impacts, as well as the agreed upon mitigation measures and permits that will be required for the proposed project. The Draft IS/EA provides this level of analysis for potential project impacts to the least Bell's vireo. Several alternatives were studied at the undertaking of this project. The chosen project was found to have the least environmental impact. Impacts associated with the proposed project are addressed in the referenced EIS/EIR and mitigation measures included in the NRMP. After reviewing the EIS/EIR and the NRMP, the Army Corps of Engineers determined the SR-126/Commerce Center Drive project is covered under the NRMP, although the proposed project design still needs to be evaluated through the NRMP verification process and receive written Corps approval. The USFWS issued a Biological Opinion (BO) on November 27 1998 stating that the NRMP, including the development of the SR-126/Commerce Center Drive project, would not likely jeopardize threatened and endangered species identified in the area. A supplementary BO was issued on November 15, 2002 that concluded that the NRMP would not likely jeopardize the continued existence of the arroyo toad (*Bufo californicus*). On March 18, 2005, the USFWS submitted a concurrence letter stating that:

1. The project was included in the EIS/EIR Permit and Streambed Alteration Agreement for portions of Santa Clara River and its Tributaries and the NRMP;
2. The mitigation measures included in EIS/EIR and NRMP are appropriate for the propose project; and
3. The Corps has incorporated the terms and conditions listed in the Biological Opinions into the 404 permit issued for the NRMP.

Based on the consistency findings with the EIS/EIR developed for the 404 permit/1603 Streambed Alteration Agreement Permit and the NRMP from the ACOE and USFWS and mitigation effort identified to be followed from the NRMP that are addressed in the IS/EA an EIR is not required for this project.

Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP.

### Response to Comment VIII-3

To mainstream the 404/1603 permitting process for the Santa Clara River and San Francisquito Creek, the ACOE and CDFG met with the landowners in the area, including the Valencia Company, to develop a plan that addresses cumulative impacts on these drainages over the next 20 years. The NRMP developed standard mitigation measures for work that would occur in these drainages. Projects consistent with the mitigation measures in the NRMP can operate under the 404/1603 permit. The proposed SR-126 project was considered and is addressed in the NRMP. The associated permits from the ACOE and CDFG apply. Because these permits are still valid, there is no justification for the ACOE/CDFG to open the regulatory process to evaluate the proposed project.

Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP.

Please refer to Map 1.1-3 on page 1-7 of the IS/EA to see the delineation of the NRMP, with the understanding that the NRMP is outside the scope of this transportation project.

Response to Comment VIII-4

See response to VIII-2.

7805FOSCR .txt  
From: Chris Benz-Blumberg [chris\_benz-blumberg@dot.ca.gov]  
Sent: Friday, July 08, 2005 11:30 AM  
To: RonGin Bottorff  
Cc: Phillips, Mike/SCO; Carlos Montez  
Subject: Additional Comments on SR126 Commerce Center IS/Ea Project:

Attachments: Commerce Grade Sep Comments July 05.doc

Good Morning Mr. Bottorff. We appreciate your additional comments and will include them in the comment section of the environmental document and include you in the final mailing list.

Thank you

Chris Benz-Blumberg

Chris Benz-Blumberg  
Environmental Planner  
213-897-0674  
Caltrans-District 7  
Division of Environmental Planning  
100 South Main Street  
Los Angeles, CA 90012 MS16A

"RonGin Bottorff"

<bottorffm@verizo  
<chris.benz-blumberg@dot.ca.gov>  
n.net>

To:  
cc:  
Subject:

07/08/2005 11:29  
AM

VIII-4

Dear Chris-  
Please find attached a letter I had sent earlier on the SR 126/Commerce Center Drive Interchange Project. I wish to add a follow-on comment.  
The project needs a full Environmental Impact Report because it must fully disclose impacts to least Bell's Vireo critical habitat along with an assessment of how vireo recovery will be impacted by the project.  
Thank you for consideration of our comments.  
Ron Bottorff  
Friends of the Santa Clara River  
(See attached file: Commerce Grade Sep Comments July 05.doc)

Response to Comment VIII-5

See response to VIII-2.

711FFOSCR.txt  
From: Chris Benz-Blumberg [chris\_benz-blumberg@dot.ca.gov]  
Sent: Monday, July 11, 2005 6:58 AM  
To: Barbara Wampole  
Cc: Phillips, Mike/SCO; Carlos Montez  
Subject: Re: Commerce Ctr Dr / IS-EA / FSCR Comments addendum

Attachments: Endangered\_Toad\_USFWS

Dear. Ms. Wampole. Thank you for your additional comments on the SR 126 Commerce Center IC Project. We appreciate your comments and we will include them in the comment section of the environmental document and include you in the final mailing list.

Thank you

Chris Benz-Blumberg

Chris Benz-Blumberg  
Environmental Planner  
213-897-0674  
Caltrans-District 7  
Division of Environmental Planning  
100 South Main Street  
Los Angeles, CA 90012 MS16A

Barbara Wampole  
<barbara@wampole.  
chris\_benz-blumberg@dot.ca.gov  
com>  
FSCR Comments addendum  
07/09/2005 06:47  
PM  
To:  
cc:  
Subject: Commerce Ctr Dr / IS-EA /

Dear Chris,

This is an additional item FSCR would like to attach to our comment letter regarding the concern we expressed about the adequacy of the NRMP to fulfill required protections to resources.

VIII-5 We are concerned that since 1998 several situations have arisen which call into question whether the NRMP has adequately addressed, or is capable of addressing, new and significant information regarding species and habitat. We are generally concerned, but also specifically concerned that the NRMP has not responded to the attached information regarding arroyo toad habitat in the project vicinity.

711FF0SCR.txt

The attached notice from the Federal Register is a clear example of what concerns us. The text of the attachment is included below in this email communication.

Please take special note of the references to the NRMP in the second paragraph.

Thank you for your attention to this material.

Regards,

Barbara Wampole

Vice-chair - Friends of the Santa Clara River

<bold><color><param>0000,0000,00  
FF</param><http://www.epa.gov/fedrgstr/EPA-SPECIES/2004/April/Day-28/e9204.htm>

</color><bigger><bigger>Endangered and Threatened wildlife and Plants;

Proposed Designation of Critical Habitat for

the Arroyo Toad (*Bufo californicus*)

</bigger></bigger></bold><fontfamily><param>Monaco</param>[Federal  
Register: April 28, 2004 (Volume 69, Number 82)]

<smaller><smaller>[Proposed Rules] [Page 23253-23328] >From the Federal Register  
Online via GPO Access [wais.access.gpo.gov] [DOCID:fr28ap04-22] [[Page 23254]]

</smaller></smaller></fontfamily><bold><bigger><bigger>Unit 6: Upper Santa Clara  
River Basin, Los Angeles County

</bigger></bigger></bold> Unit 6 includes portions the Santa Clara River, Castaic Creek, San Francisquito Creek, and adjacent uplands. The unit encompasses approximately 7,398 ac (2,994 ha) of which 83 percent is private land and 17 percent is within the Angeles National Forest. Subunit 6a, predominantly within the Angeles National Forest, includes Castaic Creek >from Bear Canyon downstream to Castaic Lake, and Fish Creek from Cienaga Spring to the confluence with Castaic Creek. Subunit 6b includes Castaic Creek from the downstream edge of The Old Road right-of-way (adjacent to Interstate 5) down to the confluence with the Santa Clara River, the Santa Clara River from the confluence with Bouquet Creek down to the confluence with Castaic Creek, and San Francisquito Creek from Drinkwater Canyon downstream to the confluence with the Santa Clara River. Subunit 6c includes the upper Santa Clara River from Arrastre Canyon downstream to the confluence with Bee Canyon Creek.

A healthy population of arroyo toads can be found on Castaic Creek above the reservoir (subunit 6a) (Bill Brown, Forest Service, pers. comm. 2003).

Page 2



711FFOSCR.txt

Although unknown at the time the Recovery Plan was published (Service 1999), arroyo toads also occupy subunit 6b along the Santa Clara River. This portion of the Santa Clara River was originally excluded from designation as critical habitat for the arroyo toad, in part because we believed that a breeding population of arroyo toads could not be sustained in this area. Recent observations of arroyo toads, including eggs, prove this to be incorrect (Ruben Ramirez, Cadre Environmental, pers. comm. 2003). We had also previously stated (66 FR 9414) that the Natural River Management Plan (NRMP) (Valencia Company 1998) adequately protected this section of the Santa Clara River as a dispersal corridor. However, uplands along this section of the Santa Clara River remain unprotected and threatened by development. Because this section of the Santa Clara River supports a breeding population of arroyo toads, connects arroyo toad habitat in Castaic Creek with San

Francisquito Creek, and is in need of further protection, we believe it is essential habitat for the arroyo toad metapopulation in the upper Santa Clara River Basin and, in turn, is essential for the conservation of the species.

Although not detected during a recent survey (Impact Sciences 2001), the Castaic Creek portion of subunit 6b contains high-quality arroyo toad habitat within its meandering floodplain and is connected to the occupied reach of the Santa Clara River. The habitat in this river segment is important to the long-term persistence of the Santa Clara River population by allowing for natural population expansion and fluctuation. Although previously included as critical habitat for the arroyo toad, the portion of Castaic Creek from The Old Road Bridge (adjacent to Interstate 5) upstream to Castaic Lagoon contains largely marginal to moderate quality habitat and is not included in this proposal. Arroyo toads have not been detected in this reach during recent surveys (Impact Sciences 2001). Although the habitat looks suitable for arroyo toads, they have not been detected during recent surveys in San Francisquito Creek, which empties into the Santa Clara River (Ed Ervin, U.S. Geological Survey (USGS), pers. comm. 2003). However, in 1997, calling arroyo toad males were heard along San Francisquito Creek near the old St. Francis Dam (Ian Swift, Mountains Recreation and Conservation Authority, pers. comm. 2003). In any event, lower San Francisquito Creek offers an excellent opportunity for further expansion of the arroyo toad population in subunit 6b and is important for the long-term persistence of the Santa Clara River population. The upper portion of the Santa Clara River (subunit 6c) supports a breeding population of arroyo toads (N. Sandburg, in litt.

2001; Rick Farris, Service, pers. comm. 2001; Frank Hovore, Hovore and

Associates, in litt. 2001) and has the potential to greatly increase in size with appropriate protection.

Subunits 6a, 6b, and 6c contain all the primary constituent elements, including breeding pools in low-gradient stream segments, sandy substrates, seasonal flood flows, and riparian and upland habitats for foraging and dispersal. The majority of the lands within unit 6 are private, and arroyo toad habitat is adversely affected by urban development, agriculture, recreation, and mining. Exotic species are a concern here as well. Special management considerations or protection may be required in this unit to address these threats.

**This unit is the easternmost population in the Northern Region, and as such, provides the final link in the range of ecological settings for this region the**

Page 3

711FF0SCR.txt  
maintenance of which is essential to the conservation of the species.

</bold>(See attached file: Endangered\_Toad\_USFWS)

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Barbara Wampole  
28006 San Martinez Grande Road  
Castaic, CA 91384-2306  
661-257-3036 voice  
661-294-9290 fax

barbara@wampole.com  
<http://www.imageg.com>  
<http://FSCR.org>  
<http://www.wampole.com>

Response to Comment VIII-6

See response to VIII-2.

711FOSCR2.txt  
From: Chris Benz-Blumberg [chris\_benz-blumberg@dot.ca.gov]  
Sent: Monday, July 11, 2005 11:28 AM  
To: RonGin Bottorff  
Cc: Phillips, Mike/SCO; Carlos Montez  
Subject: Re: SR 126/Commerce Grade Separation Comment

Attachments: Arroyo Toads in Subunit 6b.doc

Good Morning Mr. Bottorff. We appreciate your additional comments and will review them and include them in the comment and response section of the environmental document.

Thank you

Chris Benz-Blumberg

Chris Benz-Blumberg  
Environmental Planner  
213-897-0674  
Caltrans-District 7  
Division of Environmental Planning  
100 South Main Street  
Los Angeles, CA 90012 MS16A

"RonGin Bottorff"

<bottorffm@verizo  
<chris.benz-blumberg@dot.ca.gov>  
<jbuse@biologicaldiversity.org>  
n.net>

To:  
cc: "John Buse"  
Subject: SR 126/Commerce Grade

Separation Comment

07/11/2005 11:14

AM

Dear Chris-  
Please find attached a page from the Federal Register for April 28, 2004 regarding Critical Habitat for the Arroyo Toad. This document makes clear that the Natural River Management Plan (NRMP) does not adequately protect the population of arroyo toads in Sub-unit 6b that includes the Santa Clara River between the confluence of Bouquet Creek and Castaic Creek. The proposed SR126/Commerce Center Drive grade separation project is within this Subunit. Thus, it is very clear that an Environmental Impact Report must be prepared for this project and that the NRMP must be re-opened for public comment and suitably amended.  
Thank you for your consideration of these comments.  
Ron Bottorff  
Friends of the Santa Clara River  
(See attached file: Arroyo Toads in Subunit 6b.doc)

# Endangered and Threatened Wildlife and Plants; Proposed Designation of Critical Habitat for the Arroyo Toad (*Bufo californicus*)

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[Federal Register: April 28, 2004 (Volume 69, Number 82)]

[Proposed Rules]

[Page 23253-23328]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr28ap04-22]

[[Page 23254]]


Francisquito Creek, and adjacent uplands. The unit encompasses approximately 7,398 ac (2,994 ha) of which 83 percent is private land and 17 percent is within the Angeles National Forest. Subunit 6a, predominantly within the Angeles National Forest, includes Castaic Creek from Bear Canyon downstream to Castaic Lake, and Fish Creek from Cienaga Spring to the confluence with Castaic Creek. Subunit 6b includes Castaic Creek from the downstream edge of The Old Road right-of-way (adjacent to Interstate 5) down to the confluence with the Santa Clara River, the Santa Clara River from the confluence with Bouquet Creek down to the confluence with Castaic Creek, and San Francisquito Creek from Drinkwater Canyon downstream to the confluence with the Santa Clara River. Subunit 6c includes the upper Santa Clara River from Arrastre Canyon downstream to the confluence with Bee Canyon Creek.

A healthy population of arroyo toads can be found on Castaic Creek above the reservoir (subunit 6a) (Bill Brown, Forest Service, pers. comm. 2003). Although unknown at the time the Recovery Plan was published (Service 1999), arroyo toads also occupy subunit 6b along the Santa Clara River. This portion of the Santa Clara River was originally excluded from designation as critical habitat for the arroyo toad, in part because we believed that a breeding population of arroyo toads could not be sustained in this area. **Recent observations of arroyo toads, including eggs, prove this to be incorrect (Ruben Ramirez, Cadre Environmental, pers. comm. 2003). We had also previously stated (66 FR 9414) that the Natural River Management Plan (NRMP) (Valencia Company 1998) adequately protected this section of the Santa Clara River as a dispersal corridor. However, uplands along this section of the Santa Clara River remain unprotected and threatened by development. Because this section of the Santa Clara River supports a breeding population of arroyo toads, connects arroyo toad habitat in Castaic Creek with San Francisquito Creek, and is in need of further protection, we believe it is essential habitat for the arroyo toad metapopulation in the upper Santa Clara River Basin and, in turn, is essential for the conservation of the species.**

Although not detected during a recent survey (Impact Sciences 2001), the Castaic Creek portion of subunit 6b contains high-quality arroyo toad habitat within its meandering floodplain and is connected to the occupied reach of the Santa Clara River. The habitat in this river segment is important to the

long-term persistence of the Santa Clara River population by allowing for natural population expansion and fluctuation. Although previously included as critical habitat for the arroyo toad, the portion of Castaic Creek from The Old Road Bridge (adjacent to Interstate 5) upstream to Castaic Lagoon contains largely marginal to moderate quality habitat and is not included in this proposal. Arroyo toads have not been detected in this reach during recent surveys (Impact Sciences 2001). Although the habitat looks suitable for arroyo toads, they have not been detected during recent surveys in San Francisquito Creek, which empties into the Santa Clara River (Ed Ervin, U.S. Geological Survey (USGS), pers. comm. 2003). However, in 1997, calling arroyo toad males were heard along San Francisquito Creek near the old St. Francis Dam (Ian Swift, Mountains Recreation and Conservation Authority, pers. comm. 2003). In any event, lower San Francisquito Creek offers an excellent opportunity for further expansion of the arroyo toad population in subunit 6b and is important for the long-term persistence of the Santa Clara River population. The upper portion of the Santa Clara River (subunit 6c) supports a breeding population of arroyo toads (N. Sandburg, in litt. 2001; Rick Farris, Service, pers. comm. 2001; Frank Hovore, Hovore and Associates, in litt. 2001) and has the potential to greatly increase in size with appropriate protection. Subunits 6a, 6b, and 6c contain all the primary constituent elements, including breeding pools in low-gradient stream segments, sandy substrates, seasonal flood flows, and riparian and upland habitats for foraging and dispersal. The majority of the lands within unit 6 are private, and arroyo toad habitat is adversely affected by urban development, agriculture, recreation, and mining. Exotic species are a concern here as well. Special management considerations or protection may be required in this unit to address these threats. This unit is the easternmost population in the Northern Region, and as such, provides the final link in the range of ecological settings for this region the maintenance of which is essential to the conservation of the species.

July 7, 2005

Mr. Ronald Kosinski   
Deputy District Director, Caltrans District 7  
Division of Environmental Planning  
100 S. Main Street  
Los Angeles, CA 90012

Also Attn: Chris Benz-Blumberg

Subject: Comments on IS/EA for SR 126 Commerce Center Drive Interchange

**IX-1**

I would like to offer comments on this project related to bicycle access. The Los Angeles County Bicycle Coalition has previously submitted comments for work on and around SR 126, most recently for the Newhall Ranch EIR process.

**IX-2**

Commerce Center Drive is a key bicycle access point for commuters coming from the west, north and south to work in the Commerce Center. This is admittedly a highly trafficked route, but it is the only bicycle access in the area, and it needs improvement. In fact, our group recently hosted a valley-wide bike to work day, and one Commerce Center business backed out because of "unsafe access."

**IX-3**

Riders currently use Commerce Center Drive to both cross and access Route 126. Because of the current construction, riders do not generally go eastbound on Route 126 into the Valencia Industrial Center, but there are access needs both there, and along the Old Road as well.

**IX-4**

I have read that ramps from the Old Road to SR 126 will be removed. Therefore, the only local access for cyclists to SR 126 will either be Henry Mayo Drive to Commerce Center Drive to the SR 126 or to come from the Westbound SR 126 origin on the east side of the 5 freeway.

**IX-5**

We request that bicycles be accommodated on both the Commerce Center Drive overpass and on the surrounding streets. Wide paved shoulders, such as currently exist on SR 126, are preferable. If that is not feasible, for moderate-speed surface streets we have found a 15-foot outer lane is the minimum that allows for safe cycling. The width of the gutter should not be included in the 15-foot calculation. Cyclists cannot safely travel in the debris-filled gutters. My understanding is that there are some off-street bike trails proposed for the area. As there is not currently a trail network in the area, and since trails do not reach all the destinations of bicycle commuters, we request that the roadways be adequately designed for bicycle access. The typical current LA County Roadway design does NOT accomplish this.

**IX-6**

Finally, I believe that in certain funding situations road projects are required to ensure the needs of cyclists are met. I hope that you can take these suggestions into consideration as you proceed with the project. If you have any questions, please feel free to contact me.

Sincerely,

  
Maria Gutzeit  
Santa Clarita Coordinator  
Los Angeles County Bicycle Coalition  
[mgutzeit@comcast.net](mailto:mgutzeit@comcast.net)  
661-670-0332  
23404 W. Lyons Ave. #257  
Newhall, CA 91321-2669

#### Response to Comment IX-1

Comment noted.

#### Response to Comment IX-2

Bicycle lanes are included in the designs of both Commerce Center Drive and Henry Mayo Drive. Currently, there are 2.1 m (7-foot) bike lanes proposed for both directions along Commerce Center Drive from the Castaic Creek Bridge, southerly to Henry Mayo Drive. They are also proposed along Henry Mayo Drive from Commerce Center Drive to the east (toward Old Road). These will be connected to existing or future bike lanes on either side of the interchange project, running along the river.

#### Response to Comment IX-3

Eastbound access for bikes will be provided along either Castaic Creek (north of the interchange) or along the proposed Henry Mayo Drive alignment. Improvements to Old Road are not included as part of the Commerce Center Drive Project.

#### Response to Comment IX-4

Ramps to be removed as part of this project are from EB SR 126 to/from Henry Mayo Drive. Ramps for the WB SR-126 at this same location have already been closed as part of the I-5/SR-126 improvements. Bicycle lanes are included in the design of both Commerce Center Drive and Henry Mayo Drive. Currently, there are 2.1 m (7-foot) bike lanes proposed for both directions along Commerce Center Drive from the Castaic Creek Bridge, southerly to Henry Mayo Drive. They are also proposed along Henry Mayo Drive from Commerce Center Drive to the east (toward Old Road). These will be connected to existing or future bike lanes toward either side of the interchange project, running along the river.

#### Response to Comment IX-5

Bicycle lanes are included in the design of both Commerce Center Drive and Henry Mayo Drive. Currently, there are 2.1 m (7-foot) bike lanes proposed for both directions along Commerce Center Drive from the Castaic Creek Bridge, southerly to Henry Mayo Drive. They are also proposed along Henry Mayo Drive from Commerce Center Drive to the east (toward Old Road). These will be connected to existing or future bike lanes toward either side of the interchange project, running along the river. As the project progresses, coordination with the Department of Parks and Recreation will help ensure that the connection to future bike trails is adequately addressed in final design.

#### Response to Comment IX-6

Bicycle lanes are included in the design of both Commerce Center Drive and Henry Mayo Drive. Currently, there are 2.1 m (7-foot) bike lanes proposed for both directions along Commerce Center Drive from the Castaic Creek Bridge, southerly to Henry Mayo Drive. They are also proposed along Henry Mayo Drive from Commerce Center Drive to the east (toward Old Road). These will be connected to existing or future bike lanes toward either side of the interchange project, running along the river.

# California Native Plant Society

July 8, 2005

California Department of Transportation (Caltrans)  
Attn: Chris Benz-Blumberg, Environmental Planner  
Division of Environmental Planning, District 7 – Los Angeles  
120 South Spring Street  
Los Angeles, California 90012

RE: DRAFT INITIAL STUDY/ENVIRONMENTAL ASSESSMENT, State Route 126 and  
Commerce Center Drive, County of Los Angeles, State of California, 07-LA-126-KP R6.8  
– R9.2 (PM R4.2 – R5.7) EA: 187220 SCH: 2003101127 May 2005

Dear Mr. Benz-Blumberg,

The California Native Plant Society (CNPS) is a non-profit organization of more than 10,000 laypersons and professional botanists organized into 32 chapters throughout California. The mission of the California Native Plant Society is to increase understanding and appreciation of California's native plants and to conserve them and their natural habitats, through education, science, advocacy, horticulture and land stewardship. The CNPS has been very involved in Santa Clara River Valley plant issues for years. Based on our experience, we offer the following comments on the Draft Initial Study/Environmental Assessment.

The CNPS fails to see the justification in the current document for the draft determination that "the proposed project would not have an adverse effect on the environment". Therefore, we request that an Environmental Impact Report (EIR) be prepared that more fully explains the nature of the impacts and clarifies the proposed mitigations. We have provided our comments below on specific areas of concern where the proposed document fails to clarify the extent of the impact and lacks appropriate proposed mitigations. Our comments are documented by page number based on the .pdf document, as available on your website.

## General Comments:

**X-1**

**X-2**

**X-3**

**X-4**

The CNPS questions the document's compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) for specific reasons identified in our document specific comments.

The CNPS opposes any construction within the 100-year floodplain of the Santa Clara River, because of the impact to mesic vegetation. In southern California, we have already lost over 98% of our wetlands (Bowler 1989). The remaining 2% are considered rare plant communities by the State of California (NDDDB 2005). Therefore, any impact to these rare resources is significant.

We fail to see the need for the bridge, based on the fact that Commerce Center Drive south is part of a project that is currently being scoped, not proposed or finalized. The CNPS questions the prematurity of constructing a bridge to no-where.



*Dedicated to the preservation of California native flora*

## Response to Comment X-1

The impacts identified within the proposed project were determined to be addressed in the Natural River Management Plan (NRMP November 1998) as well as the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the 404 Permit/1603 Streambed Alteration Agreement Permit approved by the United States Army Corps of Engineers (USACOE) and United States Fish and Wildlife Service (USFWS) (August 1998). The mitigation measures identified within the NRMP and IS/EA (refer to Table S-1, page vii) are incorporated by reference into this document. As such, with implementation of these measures, an EIR is not required.

Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP. The following technical studies have been completed in determining the impacts within the project: Air Quality Report, Noise Study Report, Natural Environment Study, Location Hydraulic Study, Historical Property Survey Report, Hazardous Waste Reports, and Traffic Study.

## Response to Comment X-2

The National Environmental Policy Act of 1969 (NEPA) applies only to federal agencies, so the Federal Highway Administration (FHWA) is who must ultimately comply. The project proponent (Newhall Land) must ensure they satisfy FHWA for NEPA compliance. The California Environmental Quality Act of 1970 (CEQA) requires project proponents such as Newhall Land to document and analyze the project to identify the potential environmental impacts to the existing natural or human environment that may result from implementing the proposed plan or project, which is the purpose of the Initial Study/Environmental Assessment (IS/EA). The proposed mitigation developed for the project and incorporated into the project design itself will reduce environmental impacts to levels that are not adverse to the environment. An IS/EA and Negative Declaration/Findings of No Significance (ND/FONSI) are appropriate under CEQA and NEPA respectively.

## Response to Comment X-3

The loss of wetlands discussed on page 3-47 mitigation measures are not spelled out in Section 5.2 CEQA checklist discussion; only refers to mitigation measures in NRMP (refer to Chapter 3 of the IS/EA BIO 4 and 5 (page 3-7)).

Section 5 of the Draft IS/EA includes an analysis of potential projects under CEQA. The CEQA impact levels include potentially significant impact, less-than-significant impact with mitigation, less-than-significant impact, and no impact. Please refer to Section 5.2 which includes the determination of significant impacts. The proposed mitigations developed for the project and the project design itself will reduce environmental impacts to levels that are not adverse to the environment. An IS/EA and MND/FONSI are appropriate under CEQA and NEPA respectively.

## Response to Comment X-4

The IS/EA includes and considers all related projects in the area to assess the cumulative environmental impacts. The Commerce Center Drive bridge across Santa Clara River is part of a planned future project; the SR-126/Commerce Center Drive project ends at Henry Mayo Drive.

- X-5** No analysis of the project in the context of Los Angeles County Significant Ecological Area was found in the document. This part of the Santa Clara River is part of Significant Ecological Area #23. Special review is required under the County General Plan. This document fails to provide it.

**Document Specific Comments:**

- X-6** Pages 8, Page 103 Affected Environment,  
The document does not use commonly accepted plant community types when describing the vegetation communities that will be impacted. It is therefore impossible to evaluate what type of plant communities (rare or otherwise) are being impacted, how much of each type and if the mitigation is adequate. We strongly suggest that the subsequent EIR uses resource agency-accepted descriptions based on the Manual of California Vegetation (1998) or the Holland System. These systems allow for adequate evaluation of the resources that are being impacted.

- X-7** Page 8, Page 108 Temporary Impacts  
No mention of temporary impacts to plant communities/rare plants is mentioned, although clearly if temporary construction areas will be used, impacts to some current plant community will happen. The document fails to fully comply with the California Environmental Quality Act by failing to accurately describe the temporary impacts.

- X-8** Pages 9-13, Page 101 BIO-5 (h), BIO-5 (j), BIO-5 (k), Page 108 Measures to Minimize Harm, Page 109 Riparian Habitat Mitigation and Page 154 Riparian Habitat Mitigation Program  
While the CNPS supports exotic removal because of the ecological damage that invasive exotics do to native ecosystems, we do not consider a 5-year exotic plant removal as adequate mitigation for permanent impacts to plant communities. Our justification is based on predominant invasive plant ecology (Bossard et al, 2000). With regards to temporary impacts, during construction, disturbance to soils happens, water will be added for dust mitigation – all features that encourage exotic establishment or growth of exotics. Mitigation proposals of a 5-year exotic plant species removal (with monitoring) will allow for 5 years of weed removal. On the sixth year or sometime soon afterward, the weeds very likely will have re-invaded (if they ever were extirpated – most have much longer lived seeds than 5 years). In several more years, exotic removal can again be proposed in the very same area as mitigation for permanent impacts to native plant communities for some new project. The result of exotic removal as a "mitigation" strategy is a net loss of native plant communities from our perspective and a degradation of habitat for native animals. We support exotic eradication only when a cooperative watershed-wide exotic eradication project is implemented, and then removal needs to be done from the top of the watershed to the bottom and prior to seed development. Monitoring of invasive spread or containment needs to be done prior to weed removal. Therefore in the subsequent EIR, true mitigation for permanent and temporary impacts to native plants and plant communities needs to be more thoughtfully and scientifically based.

- X-9** Page 11.  
**X-10** This document is confusing about what rare species were surveyed for in the focused surveys.

**Response to Comment X-5**

Significant Ecological Areas as defined by the County of Los Angeles are discussed in the Draft IS/EA on Pages 3-1 and 3-100.

**Response to Comment X-6**

Vegetation in the project study area was classified into vegetation types based on Sawyer and Keeler-Wolf (1995) and Gray and Bramlet (1992). The Sawyer and Keeler-Wolf document "A Manual of California Vegetation" is published by the California Native Plant Society which the project botanists considered an appropriate reference document at the time of the field surveys.

**Response to Comment X-7**

Page 3-57 of the Draft IS/EA includes a discussion of the temporary impacts to vegetation during construction of the proposed project. Though some plant communities will be temporarily impacted by construction, the indirect effect on the native vegetation in the immediate vicinity of the construction area would not reduce plant populations below self-sustaining levels. .

**Response to Comment X-8**

The 5-year time frame of the exotic removal program is required by the NRMP, which was approved by the ACOE and CDFG. Because the proposed project was anticipated and permitted by the NRMP process, the 5-year time frame will also apply to the proposed project.

**Response to Comment X-9**

Exotic removal as a "mitigation" strategy is a well documented form of habitat enhancement, particularly with invasive species such as *Arundo donax*. It is acknowledged that a cooperative watershed-wide exotic eradication program would be beneficial to the resources in the region; however, a watershed wide requirement of eradication for the proposed project is unreasonable. This is not within the authority/requirement of Caltrans. The exotic removal mitigation requirements for the proposed project have been established in the NRMP, which is a watershed based plan that can uniformly require mitigation for habitat loss for multiple projects, rather than on a case-by-case basis.

**Response to Comment X-10**

A thorough discussion of the general and focused surveys is located in Section 3.9 of the IS/EA on page 3-69.



- X-11** Page 12  
With the absence of any significance criteria in the document, we fail to understand how the loss of 10.2 acres of "riparian habitat" is not significant especially considering that no mitigation measures are required.
- X-12** Page 13 –14, Page 155 Upland Habitat Mitigation Program  
While we agree that surveys for extant biological resources are a necessary component directly prior to construction, we do not consider surveys mitigation. We request that the subsequent EIR actually propose triggers and implement mitigation when species are encountered.
- X-13** Page 39  
While the Record of Decision for the 404/1603 permits as finalized in 1998, we now have new scientifically documented information on the occurrences of previously thought to be extinct taxons that are within the Natural River Management Plan area. Therefore, the CNPS believes it is necessary for the Natural River Management Plan to be updated to include these new data and retain compliance with the federal and state Endangered Species Acts.
- X-14** Page 49  
The rip-rap and soil cement will eliminate the opportunity for revegetation or establishment of native plants in perpetuity. This is a permanent impact, which is not clearly identified as far as acreage, location or mitigation. We request that the subsequent EIR clarify these issues.
- X-15** Page 96 and Page 100,  
Several references are made to the need for the Verification Request Letter (VRL) in the document. This letter needs to be part of the public environmental review process. Therefore, we request that the VRL be included in the subsequent EIR.
- X-16** Page 98  
The failure to list the impacts to wetlands because "Impacts to wetlands and Waters of the United States resulting from this proposed project are not listed separately, because these impacts are discussed within the NRMP as a component of the proposed NRMP project" does not comply with CEQA or NEPA because the NRMP is not included as part of the document, just as a reference. If this same logic is used in the subsequent EIR, we request that the NRMP is included as an appendix
- X-17** Page 98 BIO-4 (a)  
The temporary impact areas need to be delineated on a map to show where the impact will be happening and what resources will be affected in this document for public review – or the VRL needs to be apart of this document, or included in the subsequent EIR.
- X-18** Page 99 BIO-4 (c)  
We support weeding in the temporarily disturbed areas, however all weeding needs to be done prior to seed maturation, and monitoring needs to be done prior to weeding. Furthermore, the revegetation plan for these areas needs to be included in the document. Since it is absent, it needs to be included in the subsequent EIR.

#### Response to Comment X-11

Refer to comment X-3 above.

#### Response to Comment X-12

Mitigation measures, which include the requirement for preconstruction surveys, shall be consistent with the NRMP. The preconstruction surveys have been identified for a variety of special status wildlife species to avoid direct loss to individuals, particularly during the breeding season. Each mitigation measure that identified a preconstruction survey, also identified the species that may be found. A summary of the surveys are as follows:

BIO-2 (a, b) Preconstruction surveys for the unarmored threespine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. Construction work areas and access roads shall be cleared of these species immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. Species shall be relocated to nearby suitable habitat areas.

BIO-3 (b) Preconstruction surveys shall be conducted for nesting riparian bird species including the least Bell's vireo and southwestern willow flycatcher. If an active nest is found, clearing and construction within 91 meters (300 feet) of the nest shall be postponed until the nest is vacated and juveniles have fledged, and when there is no evidence of a second attempt at nesting. No surveys will be necessary if the work is completed outside the riparian bird breeding and nesting season.

BIO-20 Preconstruction surveys for the burrowing owl shall be conducted. If nesting is not occurring, construction work can proceed after any owls have been evacuated from the site using CDFG-approved burrow closure procedures. If nesting is occurring, construction work shall be delayed until fledglings have left the nest.

BIO-21 Preconstruction surveys for the tri-colored blackbirds shall be conducted. If no nesting is occurring, construction work can proceed. If nesting is occurring, construction work shall be delayed until fledglings have left the nest.

BIO-22 Preconstruction surveys for raptors shall be conducted. If nesting is not occurring, construction work can proceed. If an active nest is present, construction work shall be delayed until fledglings have left the nest. Preconstruction surveys for unarmored three-spine stickleback and several other special-status fish shall be conducted. If found, species will be temporarily relocation by the USFWS or its agents. If steel-head are present, an informal consultation will be made with the NOAA concerning this species presence and additional avoidance measures. Preconstruction surveys for raptors shall be conducted. If nesting is not occurring, construction work can proceed. If an active nest is present, clearing and construction within 91 meters (500 feet) of the nest shall be postponed until fledglings have left the nest. Preconstruction surveys for unarmored three-spine stickleback and several other special-status fish shall be conducted. If found, species will be temporarily relocation by the USFWS or its agents. If steel-head are present, an informal consultation will be made with the NOAA concerning this species presence and additional avoidance measures. In addition, the Migratory Bird Treaty Act (MBTA) protects the nests of all native bird species, including common species. To comply with this act, removal of trees and/or shrubs should be done outside the peak bird nesting season (March 15 to September 15) to avoid impacts on nesting birds. If the trees and/or shrubs are removed during this time period, a nesting bird survey should be conducted prior to vegetation removal to find all bird nests within the impact area. Each nest observed is protected by a 150 foot buffer where no construction activity is allowed until the nest is no longer active and the juvenile birds have fledged the nest. Preconstruction surveys to locate other special status wildlife species and remove individuals from the impact areas.

#### Response to Comment X-13

No state and/or federally listed species would be affected by the proposed project that was not previously addressed by the NRMP. Therefore, the 404/1603 permits issued by the ACOE and CDFG remain valid for the proposed project as it is consistent with the NRMP. Revisiting the validity of the NRMP goes beyond the scope of this type of analysis.

**Response to Comment X-14**

The areas proposed for rip-rap or soil cement are within the permanent impact area evaluated for potential impacts to biological resources. All associated river bank protection measures which may include rip-rap or soil cement would be consistent with the approved NRMP.

Please refer to Section 3.10 in the IS/EA for further clarification.

**Response to Comment X-15**

A Verification Request Letter (VRL), required by the NRMP, will be submitted to the ACOE and CDFG 30-days prior to construction. Providing the VRL in the Draft IS/EA is premature and would not provide any new information, and would not be warranted. It is a requirement of the NRMP that summarizes the findings and presents it to ACOE for final project approval.

**Response to Comment X-16**

The NRMP has been incorporated by reference within the Draft IS/EA. This reference is a public document and as such can be obtained from the ACOE or CDFG. Please refer to section 3.6 in the IS/EA.

**Response to Comment X-17**

The determination of impacts in this analysis is based on a comparison of maps depicting project right-of-way limits (which are expected to be the ultimate grading limits) and maps of onsite biological resources. All construction activities, including staging and equipment areas, are considered to be contained within the right-of-way limits of the proposed project. Direct (permanent) impacts are those that involve the initial loss of habitats due to grading and construction. Indirect (temporary) impacts are those that would be related to disturbance from construction activities (e.g., noise, dust) and use of the proposed project. A map depicting indirect (temporary) impacts is not available nor would it provide substantial new information that would change the analysis. Temporary construction areas will be submitted with the Verification Request Letter and a map (if required) will be developed for as part of the VRL submittal."

**Response to Comment X-18**

Weed removal shall be consistent with the requirements of the NRMP, specifically Mitigation Measure BIO-4(c). This measure was approved by the ACOE and CDFG. Revegetation plans are included in the NRMP and revegetation done for the proposed project will be required to be consistent with Mitigation Measure BIO-5 of the NRMP.

**X-19**

Page 99 BIO-5 (a), Page 154 Riparian Habitat Mitigation Program

The CNPS fails to see the logic of mitigation reduction ratio for pre-project mitigation. In the absence of any success criteria or any mitigation requirement that ensures successful mitigation, we read only environmental detriment. If mitigation fails at a 1:1 ratio regardless of when it is planted, it results a net loss of wetlands. While we are sure due diligence will be applied to this project, the data indicates that in southern California, 96% of wetland mitigation sites exhibit suboptimal to poor conditions (Ambrose and Lee 2004)

Also absent any supporting document, the mapping units of Value of Affected Habitat are meaningless in this document. Same comments for Page 109, Table 3.7-2.

**X-20**

Page 100 BIO-5 (c) and Page 154 Riparian Habitat Mitigation Program

The CNPS is concerned about the statement that "Habitat restoration sites in the riverbed shall be located only in areas where the predominant habitats present are dry, open floodplain". While we support not establishing "restoration sites" in functioning riparian habitats, there is usually reason for dry open floodplains existence, whether it be episodic scouring or low ground water table (not a good places to put a "restoration site") to name two. Appropriate site selection is imperative regarding some of the "Act of God" preclusions in Bio-5 (g). If a mitigation site is situated in an area where scouring regularly occurs, of course the site will get blown out eventually and the environmental result will be a net loss of wetlands. Same with the drought issue. Some plant communities like alluvial fan scrub, a rare southern California community, are also a relatively dry, open floodplain type plant communities. In the absence of agency-accepted plant community descriptions, we are concerned that alluvial fan scrub communities would be chosen as riparian restoration sites. A subsequent EIR could clarify exactly what is meant by this mitigation proposal.

**X-21**

We also question the statement "Restoration sites may also occur at locations outside the riverbed where there are appropriate hydrologic conditions to create a self-sustaining riparian habitat and where upland and riparian habitat values are absent or very low. All sites shall contain suitable hydrological conditions and surrounding land uses to ensure a self-sustaining functioning riparian habitat." If its not already riparian plant communities, there is an ecological reason. To assume that "self-sustaining functioning riparian habitat" can be created in these areas (exact location unidentified) is speculative at best from our perspective.

**X-22**

**X-23**

Page 100 BIO-5 (d)

What is Item (a)?

Please define "similar" in reference to " similar dominant trees and understory shrubs and herbs".

**X-24**

Page 101 BIO-5 (g)

**X-25**

See comments on Bio-5 (c)

Page 101 BIO-5 (i)

**X-26**

The goal of mitigation is self-sustaining native plant communities. Gardens are sustained by irrigation, not mitigation sites. At the minimum, the sites should cease irrigation during the 2nd or 3rd year to assure self-sustainability will be reached by the 5th year. Moreover, irrigation encourages weed growth, so the sooner the site is no irrigated, the better.

#### Response to Comment X-19

Pre-project mitigation is an accepted and frequently employed mitigation approach by resource agencies to offset the temporal loss of habitat (i.e., to recreate the habitat in a previously disturbed area prior to the project disturbance taking place). Success criteria are established in Mitigation Measure Bio-5(f).

Regarding the citation of Ambrose and Lee 2004, it is important to note that the authors acknowledge that "not all compensatory mitigation projects include wetland hydrology, biogeochemistry, and hydrophytic vegetation as target endpoints. In addition, the impacted wetlands may not have had optimal condition before project impacts occurred. In these cases, a California Rapid Assessment Method (CRAM) score of 100% may not be an appropriate expectation, since it is based on the premise that a high-functioning natural wetland will have high condition scores in all categories." Ambrose and Lee also state that "most compensatory mitigation sites are achieving high success with respect to their plant communities." Native habitat mitigation can be a very successful form of mitigation when appropriate sites are selected, site specific plans are implemented, and required maintenance and monitoring is provided to the sites. A statement that 96% of wetland mitigation sites in Southern California are sub-optimal to poor is a generalization of the Ambrose and Lee analysis and does not take into account the specific mitigation identified through the NRMP, EIS/EIR, or those identified in this document.

The mapping units are based on the habitat types/numbering protocol established for the NRMP EIS/EIR as follows: 1= wet herbaceous vegetation, 2=wet mixed scrub, 3=dense willow-cottonwood woodland, 4= dry willow scrub, 5=dry open floodplain, 6= cottonwood woodland, 7=scalebroom scrub, 8=great basin scrub, and 9=weedy herbaceous

#### Response to Comment X-20

Mitigation Measure BIO-5 comes directly from the NRMP that was approved by the ACOE and CDFG. As required by the ACOE and CDFG, the restoration sites shall contain suitable hydrological conditions to ensure a self-sustaining functioning riparian habitat, whether it is alluvial scrub and/or other riparian scrub/woodland communities.

#### Response to Comment X-21

As discussed above in Response to Comment X-6, vegetation in the project study area was classified into vegetation types based on Sawyer and Keeler-Wolf (1995) and Gray and Bramlet (1992). The Sawyer and Keeler-Wolf document, "A Manual of California Vegetation," is published by the California Native Plant Society which the project botanists considered an appropriate reference document at the time of the field surveys. As required by the ACOE/CDFG approved mitigation, replacement habitats shall be designed to replicate vegetation community type, and the density and structure of the affected habitats.

#### Response to Comment X-22

Native habitat restoration is a proven and accepted form of mitigation by the resource agencies, including, but not limited to the ACOE, CDFG, and USFWS. The goal of a self-sustaining habitat is a reasonable and acceptable goal of the resource agencies that provide oversight to mitigation programs.

#### Response to Comment X-23

Item (a) refers to Mitigation Measure BIO-5(a) of the NRMP.

#### Response to Comment X-24

Plant material used in restoration will include the same native species impacted, consistent with the habitat type to be replaced.

#### Response to Comment X-25

See Response to Comment X-20 above.

#### Response to Comment X-26

Irrigation of the restoration sites shall be in accordance with mitigation measure BIO-5(i). This measure allows for appropriate "weaning" of the plant material to un-irrigated conditions. The "weaning" of the irrigation involves the reduction of the amount and/or frequency of irrigation, typically beginning in the 3<sup>rd</sup> year after installation, depending on the rainfall in the region and other factors deemed appropriate based on the professional judgment of the restoration ecologist responsible for the project.

- X-27** Page 108 Permanent Impacts.  
Absent commonly accepted plant community types when describing the vegetation communities, the impacts to how much of what type of "native habitats" is unclear and not in compliance with CEQA/NEPA. Additionally, we find it curious that all the primary/secondary consumer impact evaluation is included in this section, while no evaluation of the impacts to the vegetation is included in the Vegetation section. We consider this an inadequate evaluation of impacts to vegetation and request that in the subsequent EIR full disclosure of the impacts to the plant communities be analyzed.
- X-28** Page 109, Riparian Habitat Mitigation  
When exotics are removed, a more active revegetation program will ensure that preferred, appropriate native species will grow on site and that weeds will be reduced than if the site is simply monitored for "natural establishment". Therefore, we suggest a true revegetation plan be included in the subsequent EIR to assure no net loss of wetlands.
- X-29** Page 127 Los Angeles Sunflower.  
The last two sentences seem to contradict the previous sentences, which state that the focused species surveys were performed at the wrong time of year to detect the LA sunflower. The last 2 sentences then go onto say that the species is not expected to occur, despite the fact that a known population is located just across the Santa Clara River. We request that the subsequent EIR include survey results that were performed at the appropriate time of year to detect the rare plants.
- X-30** Page 127 Short-joint Beavertail Cactus  
The document did not use the best available data for this species, as the short-joint beavertail cactus has been documented just across the river on the Newhall Ranch project. This calls into question the accuracy of the rest of the data used in this document.
- X-31** Page 146 Permanent Impacts – Special Status Plant Species and Page 226, Impacts, Plants  
These sections contradict previous sections. It is unclear when the 2003 surveys were performed or what the targeted species were. The subsequent EIR needs to clarify this situation.
- X-32** Page 200 Vegetation  
The CNPS fails to see any justification for the finding that "with the incorporation of appropriate measures to minimize harm provided below, in Section 7.0, there would be no cumulative impacts resulting from the proposed project". Clearly, the elimination of areas by rip-rapping and soil cement precludes re-establishment of sensitive mesic and riparian vegetation, and significantly alters the natural hydrological conditions that support a variety of alluvially oriented plant communities.
- X-33** Page 201 – 2<sup>nd</sup> paragraph  
"Construction of the Santa Clara River Bridge (Commerce Center Drive over Santa Clara River) is anticipated to occur in 2008. To avoid cumulative impacts to the Santa Clara River, the proposed project is anticipated to be constructed and in operation before the construction of the bridge over the Santa Clara River."

#### Response to Comment X-27

As discussed above in Response to Comment X-6, vegetation in the project study area was classified into vegetation types based on Sawyer and Keeler-Wolf (1995) and Gray and Bramlet (1992). The Sawyer and Keeler-Wolf document "A Manual of California Vegetation" is published by the California Native Plant Society which the project botanists considered an appropriate reference document at the time of the field surveys. Impacts to vegetation are fully disclosed on Page 3-63, in Section 3.8.2 "Permanent Impacts". This section states the following: "Construction of the proposed project would result in the loss of approximately 4.12 hectares (10.17 acres) of native habitat that provide valuable nesting, foraging, roosting, and denning opportunities for a wide variety of wildlife species. In addition, project implementation would result in the loss of 20.77 hectares (51.33 acres) of non-native habitats that are relatively unimportant as wildlife habitat."

#### Response to Comment X-28

As required by the conditions of the NRMP, a weed eradication plans shall be submitted to the ACOE and CDFG for approval. These plans will be part of the Verification Request Letter submitted to the ACOE and CDFG for the proposed project. These resource agencies will provide the necessary oversight to ensure that the weed eradication plans are consistent with the goals and objectives of the NRMP.

#### Response to Comment X-29

The Los Angeles Sunflower is not expected to occur due to the limited amount of suitable habitat or substrate onsite and that it was not observed during general surveys of the study area conducted at the time of the year this species is typically in bloom. Regarding the "population located just across the Santa Clara River," this citation of the Los Angeles sunflower is considered to have been a mis-identification by the professional botanists. It is still presumed extinct. Please refer to Page 3-75 in the IS/EA for further clarification.

#### Response to Comment X-30

Steve Boyd of Rancho Santa Ana Botanical Garden believes that the short-joint beavertail populations in Santa Clarita show characteristics of the common species, but are not the rare species *Opuntia basilaris* var. *brachyclada*. This species was not observed during general or focused surveys in the study area; furthermore, the short-joint beavertail is not expected to occur in the study area due to lack of suitable chaparral and desert woodland habitat. Please refer to Section 3.9 in the IS/EA for further clarification.

#### Response to Comment X-31

Focused surveys for special status plant species were conducted in April and May 2003 by Mr. David Bramlet and Ms. Amber Oneal. This focused survey included a review of existing literature prior to the initiation of surveys. This review included information from the CDFG Rare find data base and the California Native Plant Society (CNPS) Electronic Inventory, as well as previous botanical studies in the region. Please refer to Section 3.9, in the IS/EA.

#### Response to Comment X-32

The NRMP was developed with the approval of the resource agencies and is being implemented to address cumulative projects and their corresponding impacts. Therefore, for any project that is consistent with the NRMP and follows the required mitigation measures, which include project minimization, there are no resulting cumulative impacts from the proposed project.

#### Response to Comment X-33

Cumulative study of Santa Clarita River is being done under a separate contract and is not a part of the Commerce Center Drive Interchange project. Potential impacts due to the future bridge have been considered as part of this project as part of the cumulative study analysis.

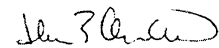
**X-33** The CNPS is confused by what this says and means. What projects are you referring to? Any infringement in the floodplain will result in a permanent impact, that needs to be considered as part of the cumulative impacts to the Santa Clara River.

**X-34** Page 229, Special Status Plant Species  
"Necessary mitigation would occur consistent with NRMP BIO-4 or NRMP BIO-5, as appropriate." What specifically would that mitigation be? The subsequent EIR needs to clarify the mitigation.

**X-35** Page 253. Monitoring Program for CEQA Mitigation  
This section needs to be included for public review in the subsequent EIR.

Thank you for the opportunity to provide these comments. If you have any questions about any of these issues, please feel free to contact me at (323) 654-5943.

Sincerely,



Ilene Anderson  
Senior Botanist, Southern California Region  
California Native Plant Society

cc: David Chipping, Conservation Director, CNPS  
USFWS  
CDFG

References:

Ambrose, Richard F., and Steven F. Lee. 2004. An Evaluation of Compensatory Mitigation Projects Permitted Under Clean Water Act Section 401 by the Los Angeles Regional Quality Control Board, 1991-2002. Prepared for State of California, California Environmental Protection Agency, California Regional Water Quality Control Board. Pgs. 253

Bossard, C.C., J.M. Randall and M.C. Hoshovsky. 2000. Invasive Plants of California's Wildlands. University of California Press. Berkeley, CA. Pgs. 360.

Bowler, P.A. 1989. Riparian Woodlands: An Endangered Habitat in Southern California. In Endangered Plant Communities of Southern California. A. A. Schoenherr ed. Proceedings of the 15<sup>th</sup> Annual Symposium. Southern California Botanists, Special Publication No. 3: 80-97.

CNDDDB (California Natural Diversity Database) 2005.

Hickman, J. C. (ed.). 1993. The Jepson Manual: Higher Plants of California. University of California Press, Berkeley, CA. Pgs. 1400.

Sawyer, J.O. and T. Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento, CA. Pgs. 471

Response to Comment X-34

As stated on Page 3-104 of the Draft IS/EA, "Mitigation may include surveys for special-status plant species prior to construction. If any of these species are present in the study area, then appropriate measures to minimize harm shall be developed. During the spring prior to grubbing or grading (or as determined by the Project Biologist), the limits of individual populations of Peirson's morning glory to be impacted shall be flagged and individual plants shall be marked with pin flags to facilitate the locating of individual plants. Prior to construction, seeds shall be collected from Peirson's morning glory plants from approximately May through June from ripened seed heads, for later propagation, by personnel experienced in collection of native seed and native plant propagation. This seed shall be stored by a certified seed bank. An appropriate site within the project right-of-way shall be identified for the seeding of this species by the Project Biologist. The site shall have similar soils, slope, aspect, and microhabitat characteristics as the site with occupied Peirson's morning glory to support this species. Other appropriate measures to minimize harm may include relocation or purchase of offsite populations for inclusion to adjacent open-space areas."

Response to Comment X-35

Appendix C will include a summary of all of the mitigation measures identified in this IS/EA.

**SCOPE****Santa Clarita Organization for Planning the Environment**

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY  
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, CANYON COUNTRY, CA 91386



7-8-05

CalTrans  
Ronald Kosinski, Chris Benz-Blumberg  
Deputy District Director  
100 S. Main St. (Mail Stop 16A)  
Los Angeles CA 90012  
213 897-0674

Federal Highway Administration  
Gene Fong  
Division Administrator, District 7  
100 S. Main St.  
Los Angeles, CA 90012  
213 897-0703, fax 897-0685

Re: 07-I A-126 KP R6.8-R9.2 Interchange Improvements  
EA 187220

**ERRATA**

This correspondence is to correct an error in our first comment letter and provide the Regional Water Quality Board Resolution that was mistakenly not attached.

The 4th paragraph should read "We do NOT concur with your findings that the biological impacts will be less than significant" We have attached a corrected letter. Please substitute this corrected copy for the incorrect one previously sent to you. Our apologies in advance for any inconvenience this may cause.

Sincerely,

Lynne Plambeck

**SCOPE**  
**Santa Clarita Organization for Planning and the Environment**

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY  
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POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



7-8-05

CALTRANS

Ronald Kosinski/Chris Benz-Blumberg

Deputy District Director

100 S. Main St. (Mail Stop 16A)

Los Angeles CA 90012

213 897-0674

Federal Hwy Administration

Gene Fong

Div. Administrator, Dist. 7

100 S. Main St.

Los Angeles, CA 90012

213 897-0703, fx 897-0685

Re: 07-LA-126 KP R6.8-R9.2 Interchange Improvements  
 EA 187220

Thank-you for the opportunity to comment on the Draft Initial Study/Environmental Assessment.

**XI-1**

As you know, a representative of our organization attended the public hearing that was noticed to be held from 6PM to 8PM. Upon arriving at approximately 7PM, we found that the Court reporter had already left and we were unable to give oral testimony. We therefore protest that your notice of a public hearing was inaccurate. The hearing should be re-noticed giving accurate times of when public testimony will be received.

**XI-2**

We note that this document appears to include both California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) processes in order to address requirements of State and Federal Law, although you did not clearly indicate such a procedure. We believe that this document is not sufficient to meet the requirements of both these laws. Under CEQA you must circulate a Notice of Preparation (comparable to the Initial Study included as Chapter 5 of this document) and receive comments in order to give the public an opportunity to present potential issues that they would like to see addressed in your environmental review. In spite of this project being located in a very sensitive area, in a floodplain, next to the last unchannelized river in Los Angeles County and located in a critical habitat area for the Least Bell's Vireo, you did NOT circulate any initial notice document to the public. In fact, your general information section states that project approval could result after review of the comments on this document. We believe that, should you approve this project without completing and circulating a draft EIR/EIS, obtaining comments and responding to those comments, you will not have followed the requirements of CEQA or NEPA in the approval of this project. Your environmental documents should also clearly indicate that both these laws apply and that it is CalTrans/DOT's intention to provide the needed documentation to meet the requirements of both laws.

**XI-3**

**XI-4**

**Response to Comment XI-1**

Comment noted. The presentation lasted from 6:00 PM to 6:45 PM and staff were available to answer questions until 8:00 PM. All questions and comments were put on public record.

**Response to Comment XI-2**

A Notice of Scoping/Initiation of Study for the SR-126/Commerce Center Drive project was sent out in October 2003 for public review/comment. All other advertisements and public review processes were followed as per the protocol established for a document of this type through both CEQA and NEPA. Please refer to Section 6.0 and Appendix E in the IS/EA for further clarification.

**Response to Comment XI-3**

See response to XI-2

**Response to Comment XI-4**

FHWA is the NEPA lead agency. Caltrans is the CEQA lead agency. Please refer to Section 1.4 of the IS/EA.



## SCOPE Comments on CalTrans/DOT I-5 Hwy 126 Interchange Project

2

- XI-5** Since this interchange will access and interstate highway, the Federal Highway Administration, Dept. of Transportation should be the lead agency on this project.
- XI-6** We do concur with your findings that the biological impacts will be less than significant. Since several endangered species will be affected (See attachment 1) and take will undoubtedly occur, such a finding is not permitted. Further a section 7 Endangered Species Act consultation for this project must be conducted and included in the environmental documentation.
- XI-7** An Environmental Assessment/Negative Declaration is not a sufficient document to address this project. The project area is home to or adjacent to habitat for several endangered species as indicated by surveys, sitings and critical habitat designations. These include the Least Bell's Vireo, the arroyo toad and down stream populations of unarmored three-spine stickleback (a California Species of Special Concern) that will be affected by siltation caused by the project (See attachment 1). The project will have significant effect on all these species. Therefore the impacts must be addressed in an EIR/EIS review. We believe that CalTrans/DOT is aware that such a document must be prepared as they prepared such a document for the I-5 bridge widening project in the immediate vicinity of this proposal that had similar impacts to these species.
- XI-8** This project is located in designated (Feb. 1994) critical habitat for the Least Bell's Vireo. The EIR/EIS should review the Least Bell's Vireo Recovery Plan and evaluate the cumulative impact on vireos, including a detailed analysis of the amount of Vireo take and critical habitat adverse modification authorized elsewhere. In particular, CalTrans/DOT should investigate the impact on this species in light of the loss of several breeding seasons and willow tress destroyed for the I-5 bridge widening immediately adjacent to this project.
- XI-9** Loss of refugia, increased flow velocities and effects of siltation on the downstream populations of the unarmored three-spine stickleback fish should be evaluated.
- XI-10** Loss of critical habitat on the endangered arroyo toad sited in this area and on the threatened Western Pond Turtle and two-striped garter snake also in the project area. The arroyo toad was mistakenly not indicated as occurring here in the 1998 NRMP and so mitigation for that project is not sufficient to provide protection for that species.
- XI-11** CalTrans/DOT claims to rely on the NRMP to address impacts to these species, but the NRMP was a program EIR/EIS did not address project specific impacts. Further, environmental organizations did not challenge this document based on the understanding that it would receive public review and any needed updates on at least five year intervals. No such review has occurred in spite of substantial new information and failure of the NRMP to achieve its stated goal of protecting endangered species. Both endangered flora and fauna have suffered, with the arroyo toad being especially impacted. These issues must be addressed in an EIR/EIS.
- XI-12** Cumulative impacts of loss of habitat to the Santa Clara River watershed and cumulative water quality impacts must be addressed. Since the NRMP was approved in 1998, numerous

Response to Comment XI-5

FHWA is the lead NEPA agency and the NEPA approving agency and has been involved in this environmental document preparation from the beginning. Please refer to Section 1.4 of the IS/EA.

Response to Comment XI-6

Section 5 of the Draft IS/EA includes an analysis of potential projects under CEQA. The CEQA impact levels include potentially significant impact, less-than-significant impact with mitigation, less-than-significant impact, and no impact. Please refer to Section 3.9 which includes the determination of significant impacts to several special status species.

Caltrans is required to consult with the USFWS on any proposed action that had the potential to adversely affect a federally listed species.

Please refer to ACOE letter dated 1/10/05 and the USFWS letter dated 3/18/05 in Appendix A of the IS/EA for further clarification per Caltrans comment.

Response to Comment XI-7

See response to Comment X-2

Response to Comment XI-8

The NRMP analyzed cumulative impacts that would result from the proposed development of the Valencia Company and similar projects from present to the year 2018. Impacts on special-status species of the Santa Clara River and its tributaries were found to be acceptable with the incorporation of appropriate measures to minimize harm by the ACOE and CDFG. Impacts to the special status species resulting from development of the proposed project are part of the impacts in the NRMP; therefore, all measures to minimize harm are included in the NRMP and listed in Section 3.9.4.

Response to Comment XI-9

Page 6-22 of the NES includes a discussion of potential impacts to the threespine stickleback specifically stating that "indirect impacts may have adverse and potentially significant impacts on the Santa Ana sucker, unarmored three spine stickleback, arroyo chub, and steelhead trout."

Please refer to Section 3.9 in the IS/EA for further clarification.



**Response to Comment XI-10**

A Biological Opinion (BO) for the NRMP was issued by the USFWS subsequent to the permitting of the NRMP to address potential impacts on the arroyo toad. Impacts on the arroyo toad will be covered under the NRMP with some additional mitigation measures as outlined in the BO. The following is a summary of BO mitigation measures:

- Four pre-construction surveys (two day surveys, two night surveys) for the arroyo toad will be required within 48 hours prior to construction. These surveys must be conducted by a biologist approved by the USFWS.
- An education program for construction workers on measures to protect the arroyo toad will be required.
- Protective measures described in the NRMP (original mitigation measures) will be implemented consistently. The resident engineer will have the authority to stop work if an arroyo toad may be harmed.
- Plans relating to the inadvertent release of hazardous materials shall be in place prior to the onset of ground-disturbing activities. These plans shall be available at the construction site.
- Sensitive areas will be marked and avoided to reduce the potential for take of arroyo toads associated with proposed restoration efforts.
- Any arroyo toads killed during project activities must be reported to the USFWS by telephone and in writing within 3 working days of the finding.

**Response to Comment XI-11**

The NRMP analyzed cumulative impacts that would result from the proposed development of the Valencia Company and similar projects from present to the year 2018. Impacts on special-status species of the Santa Clara River and its tributaries were found to be acceptable with the incorporation of appropriate measures to minimize harm by the ACOE and CDFG. Impacts to the special status species resulting from development of the proposed project are part of the impacts in the NRMP; therefore, all measures to minimize harm included in the NRMP and listed in Section 3.9.4. There are no provisions to reopen, update, and/or to provide a public review for the NRMP and associated permits/agreements. However, the ACOE has the authority under the provisions of the 404 permit program to re-evaluate the circumstances and conditions of the NRMP permit as deemed necessary by the ACOE. Base on a telephone conversation between Kenneth Wong from the ACOE and Ann Johnston of BonTerra Consulting, there is no required "5-year" review requirement for the NRMP. Reference Wong, Kenneth. 2006 (March). Personal Communication. Telephone conversation between K. Wong (ACOE) and A. Johnston, (BonTerra Consulting).

**Response to Comment XI-12**

The NRMP analyzed cumulative impacts that would result from the proposed development of the Valencia Company and similar projects from present to the year 2018. Impacts on special-status species of the Santa Clara River and its tributaries were found to be acceptable with the incorporation of appropriate measures to minimize harm by the ACOE and CDFG. Impacts to the special status species resulting from development of the proposed project are part of the impacts in the NRMP; therefore, all measures to minimize harm are included in the NRMP and listed in Section 3.9.4.

Please refer to Page 4-3, 4-4, and 4-8 in the IS/EA for further clarification.

SCOPE Comments on CalTrans/DOT I-5/Hwy 126 Interchange Project

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projects have been permitted in the upper water shed to concrete tributaries. This will increase flood flow velocities, impact species and reduce water quality. This is new information not available at the time the NRMP was approved and must now be addressed.

**XI-13** CalTrans/DOT also relies on the environmental document produced for the Commerce Center. This document is no longer valid. The Commerce Center was approved with a negative declaration that failed to address any of the species, water quality, traffic, air quality or other substantial issues that exist today.

**XI-14** CalTrans/DOT additionally relies on the Newhall Ranch Specific Plan. However, CalTrans/DOT illegally omits discussion of the "Mission Village tract" #061105 and excludes addressing the cumulative impacts of the bridge that is part of this project. Such piecemeal of projects and their impacts is illegal under CEQA. Further, NEPA requires that the Federal Lead Agency identify possible conflicts between the proposed action and the objectives of state and local plans and policies. In addition, potential inconsistencies with the local plans should be described along with actions that the Federal Agency would take to avoid this inconsistency.

**XI-15** The bridge will provide access to a project proposal that is NOT consistent with the Newhall Ranch Specific Plan. Therefore, the project it will serve, may or may not receive approval. Since this project configuration is not necessary without the bridge that will serve the Mission Village project, this issue should be addressed and the project delayed until local approvals are received. The project and its impacts may not be required if this project is not approved and other alternative might create substantially fewer impacts.

**XI-16** This project is not consistent with the LA County Significant Ecological Area policy. Please review and evaluate impacts on this policy and the SEA 23, the Santa Clara River.

**XI-17** Impacts resulting from loss of the flood plain and the resulting impacts to water quality must be addressed. Such impacts constitute new information not available in the original NRMP document and therefore must be addressed now. (see attached Regional Water Quality Resolution, Environmental Assessment of Coastal Watersheds Report). Does this project comply with the subsequently issued LA County NPDES Municipal Storm Water Permit?

**XI-18** The alternative analysis is not sufficient. The no project alternative must be analyzed. As stated above, without the Mission Village tract, this project appears not to be necessary. Further, an alternative that would widen 126 on each side of its existing alignment, using property already owned by the project proponent real party in interest, Newhall Land/Lennar Corporation, immediately adjacent to and northerly of Highway 126 should have been considered. Since this property is already owned by the project proponent, such an alternative must be considered.

**XI-19** Analysis of air quality impacts due to increased travel enabled by this project and the bridge to a 5300 unit development were not analyzed. Nor were the cumulative air quality impacts. These impacts must be addressed.

Response to Comment XI-13

Throughout the development of this IS/EA, the NRMP has been a source for biological reference and guidance. Individual technical studies were completed for Biology, Historic Preservation, Storm Water, Air Quality, Noise, and Transportation. This project has undergone a review and is being approved with an ND/FONSI after the public circulation period and review.

Response to Comment XI-14

The IS/EA does not question the validity of projects, but rather assesses their environmental impact. It includes all related projects to determine the cumulative environmental impact. The bridge is part of a future project; this project ends at Henry Mayo Drive. The specific plan for Newhall Land considered all of the future development to take place for the area including the Mission Village development. The Mission Village development was analyzed in all of the technical studies included as part of this IS/EA. Please refer to Section 2.2.3 in the IS/EA for further clarification.

Response to Comment XI-15

Comment noted.

Response to Comment XI-16

Significant Ecological Areas as defined by the County of Los Angeles are discussed in the Draft IS/EA on Pages 3-1. Also refer to Section 3.7 and 3.8 in the IS/EA for further clarification.

Response to Comment XI-17

Impacts from loss of flood plain and impacts to water quality have been addressed in the Draft IS/EA Chapter 3.10 Floodplains. Measures to minimize harm to water quality are discussed on page 3-7. Two NPDES permits will be obtained, along with a General Permit, Storm Water Quality handbook Guidelines and Caltrans District 7 Directive DD20. Compliance with NPDES permits, Caltrans' Storm Water Management Plans and BMPs will minimize impacts.

Response to Comment XI-18

The no project alternative is addressed in the environmental document. The SR 126 was shifted to the south to maintain traffic patterns during construction. If the alignment of SR 126 were to remain the same, it would be necessary to close the mainline for much of the time, as well as Commerce Center Drive. The specific plan for Newhall Land considered all of the future development to take place for the area including the Mission Village development. The Mission Village development was analyzed in all of the technical studies included as part of this IS/EA.

Please refer to Section 2.2.1 in the IS/EA for further clarification.

Response to Comment XI-19

The project is intended to accommodate existing approved projects in the area as part of the overall cumulative analysis. The traffic study and all other technical studies developed as part of this IS/EA considered all surrounding development as part of the cumulative impacts to be considered for this project.

Please refer to Section 3.3 in the IS/EA for further clarification.

SCOPE Comments on CalTrans/DOT I-5/Hwy 126 Interchange Project

4

**XI-20**

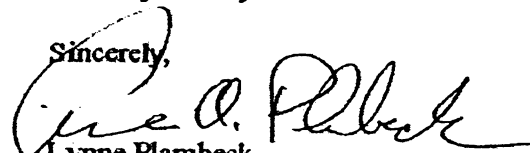
The Initial Study includes a letter from Penfield and Smith regarding water pipelines. Impacts from those pipelines must be addressed for CalTrans projects per CEQA guidelines. No impacts such impacts have been addressed in any previous document

**XI-21**

We request a written response to these comments. We also request the opportunity to review and comment on any mitigation proposals. We cannot determine whether the mitigation proposed is adequate, since it is not provided in this document.

Thank-you for your time.

Sincerely,



Lynne Plambeck  
President

*New surveys should be required for this document!*

Response to Comment XI-20

Water lines listed in the Penfield and Smith letter will be addressed in the final Project Report under the Utilities Section, and will also be shown on the utility map. Since the profile of Commerce Center Drive will not change significantly, impacts to existing utilities will be none.

Please refer to Page 3-128 of the IS/EA for further clarification.

Response to Comment XI-21

Comment noted.

**State of California  
California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. 2005-002**

**January 27, 2005**

**Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region**

**WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:**

1. Protecting beneficial uses within the Los Angeles Region consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) requires careful consideration of projects that result in hydrogeomorphic changes and related adverse impacts to the water quality and beneficial uses of waters of the State. The alteration *away from a natural state* of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes, is generally referred to in this resolution as a hydromodification.
2. This resolution is intended to reiterate the existing authority the Regional Board relies upon to regulate hydromodifications within the Los Angeles Region. As such, it has no regulatory effect. This resolution represents a initial step in the process of first, heightening awareness about the potential impacts of hydromodification on water quality and beneficial uses and evaluating existing laws and regulations and the current methods employed by Regional Board staff when reviewing proposed hydromodification projects and, second, strengthening, if necessary, controls and policies governing hydromodifications that negatively affect water quality and beneficial uses. As a first step, it sets forth a process to achieve one of the Regional Board's highest priorities, which is to maintain and restore, wherever feasible, the physical and biological integrity of the Region's water courses. Secondarily, maintaining the natural functions of water courses maximizes opportunities for stormwater conservation and groundwater recharge, which is very important in the semi-arid Los Angeles region where groundwater makes up half of the Region's water supply.
3. In addition to the process outlined in this resolution, the Regional Board has and will continue to strongly support restoration efforts in and along the Region's urbanized, highly modified water courses. The Regional Board also strongly supports preservation efforts geared toward ensuring long-term protection for the Region's remaining natural water courses.
4. Section 101(a) of the Clean Water Act, sets forth a national objective "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 U.S.C. § 1251(a).) Chapter 1 of the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) recognizes this national goal and specifies that the Basin Plan is designed to implement the Clean Water Act and its goals. As a result, a regional priority of maintaining and restoring, wherever feasible, the physical and biological integrity of the Region's water courses is firmly grounded in federal and state law.

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- 5 To realize this objective, the Clean Water Act (33 U.S.C. § 1313(c)) and federal regulations (40 C.F.R. § 131.10(a)) direct States to specify appropriate designated uses to be achieved and protected. The classification of the waters of the State must take into consideration the use and value of water for public water supplies, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. The standards must explicitly be designed to "protect the public health or welfare and enhance the quality of the water." (33 U.S.C. § 1313(c).)
- 6 The Basin Plan designates the beneficial uses of the Region's water bodies consistent with the California Water Code, federal Clean Water Act, federal regulations, and with the national "fishable/swimmable" goal of the CWA forming the broad basis for the beneficial use designations of surface waters throughout the Region. Some of the beneficial uses most benefited by preserving water courses in a natural state include aquatic life [WARM and COLD among others], wetland habitat, and groundwater recharge. In addition, the Basin Plan establishes water quality objectives for the protection of these beneficial uses. An important provision of the Basin Plan, which is required by federal law (40 C.F.R. § 131.12) and state law (SWRCB Resolution No. 68-16), is an anti-degradation policy designed to maintain existing, high quality waters. The beneficial uses of water bodies, water quality objectives and anti-degradation policies, together, constitute a State's water quality standards.
- 7 The Regional Board primarily relies upon a three-pronged approach to regulating hydromodifications. The first two are (1) waste discharge requirements issued pursuant to Water Code section 13263 and waivers issued pursuant to Water Code section 13269 to protect waters of the State and (2) certifications issued in accordance with Clean Water Act section 401 to protect waters of the U.S. These two approaches are not mutually exclusive. (Cal. Code Regs., tit. 23, § 3857.) The third prong consists of municipal stormwater permits issued pursuant to section 402 (p) of the Clean Water Act to address stormwater related problems including stormwater quality and increased flows.
- 8 "Waters of the State" include all waters of the U.S. In addition, waters of the State include waters that are not "navigable waters" under the federal Clean Water Act, including certain intermittent and ephemeral streams, wetlands, lakes, reservoirs, and other isolated non-navigable waters.
- 9 Human civilization has attempted to alter the environment through hydromodifications for centuries. In the Los Angeles Region, beginning in the early part of the 20<sup>th</sup> century, hydromodifications were constructed by public agencies to protect residents from floods and to collect and conserve stormwater for drinking water purposes and recreation. In addition, extensive urban development, and the corresponding increase in impervious area within the watershed and decrease in the width of natural floodplains, has often resulted in significantly altered patterns of surface runoff and infiltration and, consequently, stream flow. This, in turn, has necessitated further in-stream hydromodification in order to stabilize banks and constrain the stream to the channel to prevent flooding. The sequence of events is discussed extensively in the Basin Plan and in the Regional Board's municipal storm water permit for Los Angeles County. (Regional Board Order No. 01-182.)
- 10 Many hydromodifications were undertaken with laudable goals often for public safety and welfare, but have later been shown to de-stabilize and enlarge stream channels as well as degrade habitat and reduce species abundance and diversity. As a result, when reviewing

hydromodification projects it is important to carefully consider whether the immediate improvements sought are designed in such a way as to avoid unintended adverse consequence on the character of the receiving water and its beneficial uses in the vicinity, and downstream of the hydromodification.

11. Activities that alter natural *stream flows* may include increasing the amount of impervious land area within the watershed, altering patterns of surface runoff and infiltration, and channelizing natural water courses. Activities that alter the natural *stream channel* include but are not limited to human-induced straightening, narrowing or widening, deepening, lining, piping/under-grounding, filling or relocating (i.e. channelization); bank stabilization; in-stream activities (e.g. construction, mining, dredging); dams, levees, spillways, drop structures, weirs, and impoundments.
12. Hydromodifications may impair beneficial uses such as warm and cold water habitat, spawning habitat, wetland habitat, and wildlife habitat in a variety of ways. Modifications to stream flow and the stream channel may alter aquatic and riparian habitat and affect the tendency of aquatic and riparian organisms to inhabit the stream channel and riparian zone. As a result of these hydromodifications, the biological community (aquatic life beneficial uses) may be significantly altered, compared to the type of community that would inhabit an unaltered, natural stream.
13. For example, channelization usually involves the straightening of channels and hardening of banks and/or channel bottom with concrete or riprap. These modifications may impair beneficial uses by disturbing vegetative cover, removing habitat, modifying or eliminating instream and riparian habitat, degrading or eliminating benthic communities; increasing scour and erosion as a result of increased velocities, and increasing water temperature when riparian vegetation is removed. The regular maintenance of modified channels may impair beneficial uses by disturbing instream and riparian habitats if not managed properly. These modifications may also, if not managed properly, impair beneficial uses by depriving wetlands and estuarine shorelines of enriching sediments or by excessive deposition in downstream environments; changing the ability of natural systems to both absorb hydraulic energy and filter pollutants from surface waters; and altering habitat for spawning and other critical life stages of aquatic organisms. Hardening of channels may also eliminate opportunities for groundwater recharge in some areas. Furthermore, some hydromodifications may reduce recreational opportunities and may reduce the aesthetic enjoyment of people engaged in recreation in and around the water body.
14. As a result of past hydromodifications, there are few natural stream systems remaining in the region. Water bodies that have not undergone extensive hydromodification such as portions of the Santa Clara River, upper San Gabriel and Los Angeles Rivers, Malibu Creek, Topanga Canyon, coastal streams in the Santa Monica Mountains, and tributaries to these larger rivers provide immeasurable benefits to the Region. These benefits include high quality warm and cold-water aquatic habitat, spawning habitat, migratory pathways, wildlife corridors, wildlife and riparian habitat, wetland habitat, recreational and aesthetic enjoyment, and groundwater recharge. Yet, many of these water bodies and their tributaries continue to be threatened by expanding urban development.
15. The Regional Board acknowledges that there is a wide array of hydromodification projects. Some result in positive environmental impacts such as stream restoration projects. Others result in negligible or temporary adverse environmental impacts if managed properly. These may include widening bridges and installing flow measuring devices, such as weirs, or energy

dissipating devices where a constructed channel meets a natural channel. On the other end of the continuum are large hydromodification projects or multiple projects with cumulative impacts that permanently alter the hydrologic and ecological functions of a stream and, thus, adversely affect the beneficial uses described above. These include, but are not limited to, projects that bury natural stream channels, channelize natural water courses, or involve instream activities such as mining or construction. Regional Board staff evaluates the severity of adverse environmental impacts on a project-by-project basis.

16. The Regional Board recognizes that maintenance activities are required in modified channels in order to ensure continued flood protection and vector control. The Regional Board has authorized such activities through the issuance of Section 401 certifications in the past and would expect to continue to authorize such activities. The Regional Board also recognizes that maintenance activities may need to be carried out on an emergency basis due to various exigencies, including brush fires and flooding. The Board through the issuance of Section 401 certifications has also authorized these emergency maintenance activities. Nothing in this resolution is intended to alter the ability of these local agencies to continue ongoing maintenance activities.
17. The Regional Board also recognizes the value of the spreading grounds that have been constructed along many of the Region's larger water courses. These spreading grounds serve a valuable function by recharging storm water into the Region's groundwater to bolster local water supplies. Nothing in this resolution is intended to alter the ability of local and regional agencies to conserve stormwater within existing regulations with the goal of increasing local water supplies.
18. The Regional Board and local agencies have undertaken or sponsored hydromodification field assessments and studies to develop peak flow design criteria to minimize or eliminate adverse impacts from urbanization for water courses in the counties of Ventura and Los Angeles. These studies include the 'Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA' (2004), and the 'Peak Impact Discharge Study' sponsored by the County of Los Angeles, which is in progress. The results from these studies will be used to develop objective criteria to reduce or eliminate the adverse impacts of hydromodification in the Los Angeles Region from new development and redevelopment.
19. Though the Regional Board does not have authority to regulate land use, the Regional Board strongly encourages land use planning agencies and developers to carefully consider, early in the development planning process, the potential impacts on water quality and beneficial uses of hydromodification projects proposed as part of new development. The Regional Board strongly discourages direct hydromodification of water courses except in limited circumstances where avoidance or other natural alternatives are not feasible. In these limited circumstances, project proponents must clearly demonstrate that a range of alternatives, including avoidance of impacts, has been thoroughly considered, hydromodification has been minimized to the extent practicable, and adequate in situ and/or off site mitigation measures have been incorporated to offset related impacts. Project proponents must also document that there will be no adverse effects to water quality or beneficial uses. This approach is consistent with the California Environmental Quality Act (CEQA), federal regulations and State and federal antidegradation policies.
20. Chapter 4 of the Basin Plan, "Strategic Planning and Implementation", outlines the suite of regulatory tools available to the Regional Board to maintain and enhance water quality. One of these tools is the 401 Certification Program. This federally required program regulates

most hydromodification projects to ensure that the projects will not violate State water quality standards of which beneficial uses are an essential component. Section 401 Certifications may include conditions to minimize impacts from hydromodification activities by implementing Best Management Practices such as working in the dry season or out of the water, among many others. Certifications may also include monitoring requirements in order to ensure that the project is completed as specified and any proposed mitigation is successful.

21. Under section 401 of the Clean Water Act, the State Water Resources Control Board and the Regional Boards have a time limit as prescribed by applicable laws and regulations, from the receipt of a complete application, to certify that a project will comply with applicable state water quality standards prior to issuance of a federal 404 dredge and fill permit for any activity that may result in a discharge to a surface water of the United States. In the event that a project will not comply with applicable water quality standards, even with all conditions proposed, then the certification may be denied. (Cal. Code Regs., tit. 23, § 3837, subd. (b).)
22. Under section 402 (p) of the federal Clean Water Act, the State Water Resources Control Board and the Regional Boards are required to issue storm water permits to owners and operators of municipal separate storm sewer systems (MS4s). On a permit-by-permit basis, MS4 permits may identify storm water-related problems and include provisions requiring municipalities to implement measures to reduce adverse impacts of hydromodification, primarily increased flows, on beneficial uses.
23. Under separate authority granted by State law (see Article 4 (commencing with section 13260) of Chapter 4 of the Porter-Cologne Act), a Regional Board may regulate discharges of dredge or fill materials as necessary to protect water quality and the beneficial uses of waters of the State by issuing or waiving waste discharge requirements, a type of State discharge permit. For projects that may result in a discharge to a surface water of the U.S., waste discharge requirements may be issued in addition to the 401 certification. (Cal. Code Regs., tit. 23, § 3857.) Issuance of waste discharge requirements may be the only option for the Regional Board in situations where the proposed discharge is to waters of the state (e.g. isolated waters, vernal pools, etc.) rather than waters of the U.S., or in situations where the federal agency does not claim jurisdiction. All discharges of waste, including dredged and fill material, to waters of the State are privileges and not rights.
24. With certain exceptions, the California Environmental Quality Act (CEQA) requires the preparation of environmental documents for all projects requiring certifications by the state or state-law-only waste discharge requirements from the Regional Board. Hydromodification activities discussed above that require certification under section 401 of the Clean Water Act or that require waste discharge requirements for dredging and filling of State waters may be subject to CEQA. For projects that may have a significant effect on the environment that cannot be mitigated, an environmental impact report must be prepared that requires consideration of feasible alternatives to the project. (Pub. Resources Code, § 21061.)

**THEREFORE, be it resolved that**

1. Maintaining and restoring, where feasible, the physical, chemical and biological integrity of the Region's watercourses is one of the Regional Board's highest priorities.



guidelines, additional municipal stormwater permit requirements and amendments to the Basin Plan.

Regulatory tools may incorporate specific criteria and evaluation requirements to be used by Regional Board staff when evaluating projects for water quality certification or waste discharge requirements, and setting conditions for certification or for Standard Urban Stormwater Mitigation Plan (SUSMP) or Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) approval by the local agency. If a Basin Plan amendment is necessary, the Regional Board further directs staff to bring said amendment to the Board for its consideration in the near future. Any proposed criteria and evaluation requirements should ensure that developers avoid, minimize or, as a last course, compensate for both the on-site and downstream adverse impacts of development on the water quality and beneficial uses of watercourses.

6. When evaluating the issue of hydromodification and identifying specific actions to be taken if necessary, the Regional Board shall consider at a minimum the following:
  - Existing federal and state law and regulation; state and regional policies; and current methods employed by Regional Board staff related to hydromodification of water courses.
  - Consistency and coordination with other agencies' authorities over hydromodifications.
  - Existing staff resources available to implement current Regional Board programs and regulations related to hydromodification of water courses.
  - The local and regional value of maintaining water courses in their natural state.
  - Federal guidelines including, but not limited to, section 404(b)(1), which constitutes the substantive federal environmental criteria that are used in evaluating applications for certain discharges of dredge or fill material.
  - Statewide General Waste Discharge Requirement for certain dredge and fill activities not requiring a Section 404 Permit or a Section 401 Certification under the federal Clean Water Act (State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ).
  - State Water Resources Control Board, "Regulatory Steps Needed to Protect and Conserve Wetlands not subject to the Clean Water Act," Report to the Legislature, Supplemental Report of the 2002 Budget Act, April 2003.
  - The State Water Resources Control Board Workplan: Filling the Gaps in Wetlands Protection (Sept. 24, 2004).
  - State Water Resources Control Board Guidance for Regulation of Discharges to "Isolated" Waters (June 25, 2004).
  - National Research Council, "Riparian Areas: Functions and Strategies for Management, Committee on Riparian Zone Functioning and Strategies for Management," National Academy Press, Washington, D.C., 2002.
  - State guidance including, but not limited to, "A Primer on Stream and River Protection for the Regulator and Program Manager" (by Ann L. Riley) and the "California Rapid Assessment Method for Wetlands" for evaluating mitigation sites.
  - "Stream Corridor Restoration: Principles, Processes, and Practices," Prepared by the Federal Interagency Stream Restoration Working Group (FISRWG) (10/1998).
  - General principles of low impact development (various sources);
  - The findings of the study commissioned by the Los Angeles County Department of Public Works through the Storm Water Monitoring Coalition in order to satisfy a requirement of the Los Angeles County Municipal Storm Water Permit (Regional Board Order No. 01-182), which calls for a study to evaluate peak flow control and determine numeric criteria to prevent or minimize erosion of natural stream channels and banks caused by urbanization, and to protect stream habitat.

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- The findings of the study "Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA - Final Report" (2004) completed by the Ventura County Watershed Protection District, in order to satisfy a requirement of the Ventura County Municipal Storm Water Permit (Regional Board Order No. 00-108), which calls for the development of criteria to prevent or minimize erosion of natural channels and banks caused by urbanization and protect stream habitat; and
  - Additional data collected or initiated by municipalities, dischargers and developers on stream stability for study sites in Los Angeles and Ventura Counties to reduce statistical uncertainty and/or improve model predictability when establishing stream stability protective criteria.
7. If a Basin Plan amendment is deemed necessary, staff is directed to consult with affected state and local agencies prior to formulating the draft amendment(s).
8. During the evaluation process, staff is directed to seek input from:
- the Department of Fish and Game and the U.S. Army Corps of Engineers, the United States Fish and Wildlife Service and other agencies with jurisdiction over hydromodification projects to ensure that any future policies and requirements to be proposed do not conflict with the jurisdiction and regulatory authority of these agencies; and
  - stakeholders, including flood control agencies, agricultural interests, the building and construction industry, and environmental groups.
9. Pursuant to section 13224 and 13225 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Resolution.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on January 27, 2005.

ORIGINAL SIGNED BY

\_\_\_\_\_  
Jonathan S. Bishop, P.E.  
Executive Officer

2 23 05

\_\_\_\_\_  
Date

*Final Version*

Cover pages  
from I/S Bridge  
widening showing  
the decision to  
provide an EIR  
because of the gravity  
of the impacts. Impacts  
of this project are  
comprable. We include  
these documents in the  
Administrative Record by  
reference.

SCH: \_\_\_\_\_  
07-LA-126 KP R8.3-R9.7  
07-LA-5 KP R88.0-R90.4  
EA: 187210  
October 2000

## I-5/SR-126 Interchange Project


### DRAFT INITIAL STUDY/ENVIRONMENTAL ASSESSMENT

STATE OF CALIFORNIA  
Department of Transportation

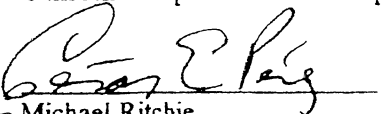
and

U.S. DEPARTMENT OF TRANSPORTATION  
Federal Highway Administration

Pursuant to:  
42 U.S.C. 4332(2)(c)

  
for Raja Mitwasi  
Caltrans District 7  
District Division Chief  
California Department of Transportation

Oct. 20, 2000  
Date


  
for Michael Ritchie  
Division Administrator  
Federal Highway Administration

November 8, 2000  
Date

The following persons may be contacted for additional information concerning this document:

Cesar Perez  
Senior Transportation Engineer  
Federal Highway Administration  
980 Ninth Street, Suite 400  
Sacramento, CA 95814  
(916) 498-5860

Ronald Kosinski  
Environmental Planning Branch Chief  
Caltrans District 7  
120 South Spring Street  
Los Angeles, CA 90012  
(213) 897-0703

 Mr. Thomas Barroa 7-16-01  
Ms Barbara Wampole  
On Rd. \_\_\_\_\_  
28006 San Martinez Grande Canyon  
Castroville, CA 95004

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# DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT (EIR/EA)

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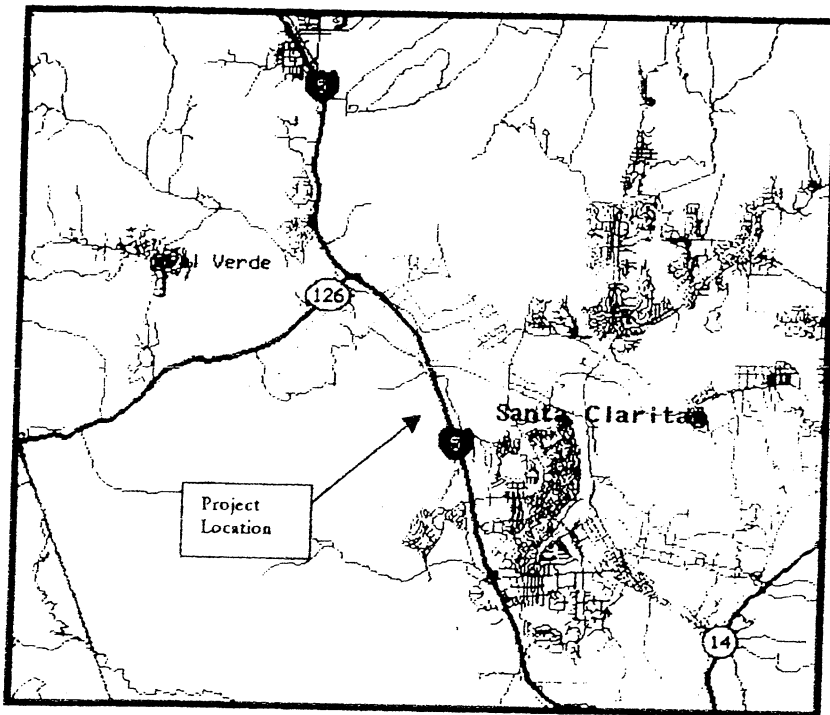
LA-5 KP 86.4 EA 176000

SCH NUMBER: 99021066

DECEMBER 1999

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## SANTA CLARA RIVER BRIDGE REPLACEMENT ON INTERSTATE 5 IN THE CITY OF SANTA CLARITA LOS ANGELES COUNTY



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CALTRANS DISTRICT 7  
OFFICE OF ENVIRONMENTAL PLANNING



NOP for the  
Mission Village Tract  
showing bridge access



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



James E. Haril, AICP  
Director of Planning

**NOTICE OF PREPARATION**

**"The Mission Village Project"**  
**(Part of the Newhall Ranch Specific Plan)**

**County Project No. 04-181**  
**Vesting Tentative Tract Map 061105**  
**Oak Tree Permit No. ROAK200500032**  
**Conditional Use Permit No. RCUP200500080**  
**Conditional Use Permit No. RCUP200500081**  
**Parking Permit No. RPK200500011**  
**Modification for Reduced Setbacks-Village Center**  
**Hillside Review**

The County of Los Angeles will be the lead agency and will prepare an Environmental Impact Report (EIR) for the project identified above, pursuant to the California Environmental Quality Act (CEQA). In compliance with Section 15082 of the *CEQA Guidelines*, the County of Los Angeles is sending this Notice of Preparation (NOP) to responsible agencies, interested parties, and other public agencies, which may be involved in approving or permitting the project. Within 30 days after receiving the NOP, each agency shall provide the County of Los Angeles with specific details about the scope and content of the environmental information to be contained in the EIR related to that agency's area of statutory responsibilities.

The purpose of this NOP is to solicit the views of your agency as to the scope and content of the environmental information germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR prepared by our agency when considering your permit or other approval for the project.

**PROJECT LOCATION**

The Mission Village project is located on the eastern edge of Newhall Ranch Specific Plan area south of State Route 126 (SR-126) and west of Interstate 5 (I-5), directly west of Six Flags Magic Mountain theme park, located in western unincorporated Los Angeles County (see Regional Map, Vicinity Map).

The Specific Plan identifies the five distinct "Villages" within the Specific Plan boundaries: Riverwood, Oak Valley, Potrero Valley, Long Canyon, and Mesas. The proposed "Mission Village" project is the eastern portion of the Mesas Village as defined in the approved Newhall Ranch Specific Plan. Project acreage is approximately 1,252 acres, 38.1 acres of which are located outside of the Newhall Ranch Specific Plan boundary.

#### PROJECT DESCRIPTION

The proposed project consists of single-family and multi-family residences (including condominiums, duplexes and apartments), mixed-use/commercial development, an elementary school, parks, open space, and a recreational center. Other land uses within the proposed project include open space, containing a San Fernando Valley Spineflower Preserve in the northeastern quadrant of the site. Facilities and infrastructure proposed to support the proposed project consist of roads (including the Commerce Center Drive Bridge and the extension of Magic Mountain Parkway west of its current terminus), trails, drainage improvements and flood protection (including buried bank stabilization within the Santa Clara River), potable and reclaimed water systems (including water tanks), and a sanitary sewer system (see Tentative Tract Map). A utility easement is located adjacent to SR-126 and the Santa Clara River that would accommodate utilities (electric, water, gas) necessary to serve the project.

The project is proposing a total of 5,331 residences (i.e., 500 single-family homes with 73 second units, 197 zero-lot-line homes, and 4,634 multi-family units), 1,299,000 million square feet of commercial/mixed uses, an elementary school (9 acres), parks (25.2 acres), public and private recreational facilities, trails, and other roads improvements.

Consistent with the *State CEQA Guidelines*, the Los Angeles County Department of Regional Planning has prepared an Initial Study and determined that a project Draft EIR is required for the Mission Village project. The Draft EIR for the Mission Village project (VTTM 061105) will be tiered to the previously certified Program EIR (SCH No. 1995011015) for the Newhall Ranch Specific Plan and Water Reclamation Plant (WRP) in accordance with Public Resources Code 21093(a) and *State CEQA Guidelines* §15168(c). This EIR will concentrate on site-specific issues, and will incorporate by reference the appropriate discussions and analysis contained in the Program EIR (*State CEQA Guidelines* §15385). Through a combination of project review during the preparation of the Initial Study, incorporation of previously specified mitigation measures identified in the Program EIR, the EIR will focus on the project-specific issues relating to the Mission Village project.



#### DISCRETIONARY ACTIONS REQUESTED

- **Vesting Tentative Tract Map No. 061105** to subdivide 1,252-acre property into 1,054 lots, including 697 single-family lots (500 detached single-family and 197 zero lot line), 32 multi-family lots for condominiums, and 10 mixed-use/commercial lots. Additional lots will be created for open space, roadway development, and utility purposes as summarized in Table 1 on the following page.
- **Oak Tree Permit (ROAK200500032)** for the removal of 219 of the 722 oaks trees located on site in addition to 12 off-site trees associated with the westerly extension of Magic Mountain Parkway.
- **Conditional Use Permit (RCUP200500080)** for impacts to the SEA 23/River Corridor Special Management Area (SMA). The SEA 23/River Corridor SMA impacts result from bank stabilization and infrastructure construction. Development within the SEA 23/River Corridor SMA includes a sewer line connecting the Mission Village project to the adjacent River Village project (VTM 53108), pending review; overhanging utility lines on Commerce Center Drive Bridge; and bank stabilization at the proposed community park alongside the Santa Clara River. The CUP is also requested to permit construction of 73-second units in the low-density, single-family planning areas. The Mission Village EIR will analyze off-site improvements that are required to accommodate a utility easement adjacent to SR-126 and the Santa Clara River necessary to provide services to the site.
- **Conditional Use Permit (RCUP200500081)** This CUP will also cover grading and water tanks proposed outside of the Specific Plan boundary.
- **Parking Permit (RPKP200500011)** is required for off-site reciprocal parking within portions of the multi-family areas. Under the proposed project, visitor or guest parking for the residential uses located south of Magic Mountain Parkway would be provided as joint-use or shared parking on private streets located adjacent to the residential uses.
- **Modification for Reduced Setbacks in the Village Center area.** The setback requirement for the front/rear and side yard is 10 feet according to the approved Specific Plan. However, Section 5.2 (2) (h) of the Newhall Ranch Specific Plan allows development standards such as setbacks to be modified at the discretion of Planning Director. The modification request is to reduce the 10-foot front and rear yard setbacks to a variable 0-8 feet in the Village Center (i.e., condominium and apartments) area of the Mission Village project.
- **Hillside Review** is required through a Substantial Conformance finding with the Section 5.2(2)(16) Grading and Hillside Management Guidelines set forth in the adopted Newhall Ranch Specific Plan.

Table 1  
Mission Village Statistical Summary

Land Use	Area (gross acres)	Lots	Lot Sizes or Square Footage	Total Units or Square Footage	Density (du/acre or FAR)
<b>Residential</b>					
Single-Family	146.86	500		500 du + 73*	
Multi-Family	200.03	32	-	4,634 du	
Zero Lot Line	25.80	197	-	197 du	
Subtotal	372.69		-	5,331 du+ 73*	
					N/A
<b>Mixed-Use/Commercial</b>	81.65	16	-	1,299,000 sq. ft.	0.35 FAR
<b>Elementary School</b>	9.0	1	N/A	N/A	N/A
<b>Other</b>		191			
<b>Open Space</b>					
River	200.00				
Un-graded lots	124.05				
Graded lots	188.36				
Landscaping					
Connectivity Buffer	24.76				
Park	25.2	2			
Community Center	8.40	1			
Recreation	4.90	3			
Spineflower Preserve	44.90	1			
Landscaping/Connectivity Buffer					
<b>Utilities</b>	18.27	8	N/A		N/A
<b>Roads</b>	150.09	102	N/A		N/A
				5,331 du+ 73*	
<b>TOTAL</b>	1,252.27 ac	1,054 lots		1,299,000 sq. ft.	

Source: Vesting Tentative Tract Map No. 61105 (revised November 2004).

FAR = floor area ratio      du = dwelling unit

\* = second units      ac = acres

## POTENTIAL ENVIRONMENTAL EFFECTS

Pursuant to State CEQA Guidelines §15063, the Los Angeles County Department of Regional Planning prepared an Initial Study (see attached Initial Study) and determined that a project EIR is required. The Initial Study provides a preliminary analysis of the potential environmental effects to be analyzed in the Mission Village EIR. The Initial Study determined that the Mission Village project may have potentially significant effects relative to various environmental categories. For example, the geotechnical analysis will include analysis of landslides, soil stability, and earthquake shaking. The flood analysis will include flooding potential given the proximity of the site to the Santa Clara River and project water runoff quantities. The fire analysis will examine the location of the site within Fire Zone 4, and the noise analysis will estimate the noise generated by the project. The water resources section will examine the

availability of water to serve the site; the air quality analysis will examine the air emissions generated by the project, and the biota section will examine impacts of the project to sensitive habitat and threatened, endangered, and sensitive species. The cultural resources analysis will examine how sensitive archaeological or cultural resources are treated; the mineral resources section will examine project impacts on such resources; the agricultural resources section will examine the removal of agricultural uses from the project site, and the visual resources section will provide "before and after" simulations of common viewsheds of the project site. The traffic/access analysis will examine the number of traffic trips generated by the project and how roadways would be able to accommodate the additional traffic. Based upon the number of residential and commercial uses proposed, the project would estimate generated wastewater and how it can be accommodated. The EIR will also assess impacts to library services, and impacts to education based upon the number of children generated and how schools could accommodate additional students. Fire and sheriff services will examine existing capacities and the number of additional resources required. The utilities section will examine the amount of electricity and gas needed for the site and how existing services could accommodate the need. Human-made hazards will examine past and proposed uses on the site and potential impacts to future residents. The EIR will address how the project's population generation figures are consistent with regional population, housing, and employment projections. It will also address the recreational facilities proposed by the project and how the project meets Quimby Act requirements.

Pursuant to Public Resources Code §21093 and *State CEQA Guidelines* §15168, the Mission Village EIR will tier from the certified Newhall Ranch Final Program EIR (SCH No. 1995011015). Where appropriate, the Mission Village EIR will incorporate by reference the prior analysis contained in the previously certified Newhall Ranch Final Program EIR.

#### SCOPING MEETING

To assist in local participation, a scoping meeting will be held to present the proposed project and to solicit suggestions on the content of the Draft EIR. This meeting will be held in the Multi-Purpose Room of the Rancho Pico Junior High School, 26250 W. Valencia Boulevard, Stevenson Ranch, California on June 9, 2005 from 7:00 PM to 8:30 PM.

#### NOTICE OF PREPARATION REVIEW AND COMMENTS

The official review period for the Notice of Preparation will be from May 24 to June 23, 2005 (30 days). To facilitate your review, the following materials are attached in addition to the above descriptions:

- Los Angeles County Initial Study
- Regional Location Map
- Vicinity Map



Warrant Required  
Due to Failure  
to disclose the  
existence of  
the spinaeflower  
by Newhall Land  
and Farming

(7) pages

## DESCRIPTION PAGE

WARRANT TO SEARCH: THE NEWHALL LAND & FARMING COMPANY  
PORTIONS OF PROPERTY ENTITLED  
"NEWHALL RANCH," LOS ANGELES COUNTY

## LOCATION:

The Newhall Ranch is located in the unincorporated area of North Los Angeles County east of the Ventura County line. This warrant will focus on two portions of Newhall Ranch in Los Angeles County (Exhibit 1). Area one is bounded on the west by Sawtooth Ridge and on the east by the east side of Exxon Mesa. Area two is bounded on the west by a line running south beginning at the entrance of Middle Canyon and on the east by the Magic Mountain western property line. Both areas are bounded on the north by the Santa Clara River and on the south by a line extending southwest from the western end of Magic Mountain Parkway.

## CONDUCT OF THE SEARCH:

To search for populations of *Charizanthus parryi* var. *Fernandina*, *Fernandina* [Common Name: San Fernando Valley spineflower (SFVS)], collect voucher samples of SFVS, map the locations of populations of SFVS onto aerial photos, topographical maps and digital maps, collect soil samples from areas where populations of SFVS are found, and photograph any populations of SFVS.

To collect evidence of take of SFVS: SFVS specimen remains, photographs of SFVS specimen remains and/or damaged habitat, and mapping of any areas of possible take.

The search will be conducted during daylight hours encompassing all habitat consistent with SFVS requirements within the described location.

Extensions to the search will be submitted to the court at ten-day intervals describing the progress of the search to-date.

## STATEMENT OF PROBABLE CAUSE:

I, Penelope Liotta, a lieutenant for the California Department of Fish and Game (CDFG), am a state peace officer under the authority of Penal Code Section 830.2(e) and Fish and Game Code Section 856. I have been so employed since June, 1987. I am currently assigned as a lieutenant in the South Coast Region comprised of Santa Barbara, Ventura, Los Angeles, Orange, and San Diego Counties. I investigate complex environmental crimes throughout this region, including the illegal take of threatened and endangered species, unlawful alterations to streambeds, and water pollution. I am the Coordinator for the Streambed Alteration Enforcement Compliance Program and for all inland pollution responses.

Long Beach  
(F) 562-499-  
6368  
562-499-

805  
485 9987

During the course of my employment with the Department of Fish and Game, I have been assigned as a lieutenant for 1.25 years in the South Coast Region, a fish and game warden assigned to the Oil Spill and Response Unit in Santa Barbara and Ventura Counties for 9.5 years, and a fish and game warden in Los Angeles County for 4.75 years.

I have investigated hundreds of cases involving unlawful discharge of pollutants into state waters, streambed alteration violations, and the illegal take, possession, and sale of fish and wildlife. I have served numerous search warrants involving the illegal possession of prohibited species in Los Angeles, Orange and Ventura counties.

I received a Bachelor of Science Degree in Wildlife Management from The School of Natural Resources, Humboldt State University, California, in 1984. I received a certificate for completing the Basic Peace Officer Academy in June, 1987 at Butte College. I received an Advanced P.O.S.T. certificate in 1994.

I request a search warrant pursuant to Penal Code Section 1524 to collect evidence of take of a state-listed endangered plant species, *Chorizanthe parryi* var. *Fernandina* [Common Name: San Fernando Valley spineflower (SFVS)], a violation of State Fish and Game Code Sections 1908, 2080 and 12002.

The SFVS, a member of the buckwheat family, is a low-growing, herbaceous annual with tiny white blossoms. The SFVS is believed to require habitat containing gravelly to sandy soils, is intolerant to shade, and does not compete well with other plants. The SFVS was presumed to be extinct in the 1920's. Populations of this plant were re-discovered in 1999 at the Ahmanson Ranch project, Ventura County, California approximately 14.5 air miles from Newhall Ranch Area One. It was, thereafter, listed as a California endangered plant species in August, 2001. The plant's range historically was Los Angeles, Orange and San Bernardino Counties, but development now covers much of this area.

The Newhall Land and Farming Company (NLF) have submitted a land development plan, for a portion of Newhall Ranch, to the County of Los Angeles entitled The Newhall Ranch Specific Plan (Newhall Ranch). The plan includes the following development features: 22,000 dwelling units on nearly 12,000 acres, 323 acres of commercial and business uses, over 5,000 acres of high country and river corridor open areas, an 18-hole golf course, a 15-acre man-made lake, and a 6.9 million gallons-per-day Water Reclamation Plant. This project will house approximately 68,000 people and will be completed in 25 years.

A component of the regulatory process for land development is obtaining appropriate agency permits, including the CDFG Streambed Alteration Agreement. The Streambed Alteration Agreement is a contract required and negotiated to allow any activity within the defined bed, bank and channel or riparian drip lines to minimize habitat and resource impacts. Subsequent to the re-discovery of SFVS, NLF requested the CDFG to enter into a master streambed alteration agreement for Newhall Ranch. The master streambed

alteration agreement is a bio-geographical approach to deal with many specific projects consisting of: a large geographic area, long term time frames, and multiple entities. In late 1999 and 2000, CDFG Environmental Scientist Morgan Wehtje reviewed the proposal and requested NLF to conduct additional environmental studies, including surveys for SFVS.

Wehtje has worked for CDFG for 14 years as an Environmental Scientist, the past 12 years in the counties of Ventura, Santa Barbara, and North Los Angeles. Wehtje reviews and provides scientific comments on development, restoration, and regional planning projects; conducts habitat and population studies for anadromous fishes and game species management; and assesses impacts to wildlife and their habitats. Wehtje supervises a group of 7 individuals also working on these types of projects, and reviews their efforts and writings for content and scientific merit regarding the Department's concerns on California Environmental Quality Act projects, California Endangered Species Act permit applications and streambed alteration agreements. Wehtje holds a Bachelors of Science degree in Wildlife Management from Humboldt State University with an emphasis in mammals and wetland mapping.

In June, 2000, The Newhall Land and Farming Company notified the CDFG, by a faxed map, of a population of SFVS located at Grapevine Mesa, Newhall Ranch, Los Angeles County, California (Exhibit 2).

On September 21, 2000, CDFG Plant Ecologist Mary Meyer and Morgan Wehtje attended a meeting with NLF Vice President Steven Zimmer and NLF Consultant Thomas Worthington. Impact Sciences (a NLF environmental consulting firm), regarding SFVS and other issues with the Newhall Project.

Meyer has been employed with the CDFG as a plant ecologist for over 10 years in the counties of Santa Barbara, Ventura, and Los Angeles. Meyer conducts population and habitat assessments; develops and monitors habitat mitigation strategies; administers rare plant research projects; and writes endangered plant species permits. Meyer worked for 12 years as a consulting botanist prior to her employment with CDFG. Meyer holds an M.A. and B.A. in Biological Science from California State University, Chico.

During the September 21, 2000 meeting, NLF identified the SFVS population located at Grapevine Mesa. Zimmer stated that Woodward & Clyde, their environmental consultant, did not prepare a botanical report. Zimmer stated the population had been found at the tail end of field surveys and no further surveys had been conducted. Zimmer stated the SFVS population was growing mostly on an unused road bed, approximately 10-12 feet in width, and extended for approximately 50-75 feet. Zimmer stated NLF had placed physical barriers on the road to protect the population. Zimmer stated there was probably more habitat for the SFVS on Newhall Ranch, but they had not looked for the plant yet. Zimmer stated NLF would survey for the plant for the development, as each development phase was implemented. Wehtje and Meyer both stated it was highly unusual that a consulting botanist was not present at the meeting to discuss the discovery of this endangered plant species.



On September 19, 2001, Wehrje and I inspected Airport Mesa, located in Newhall Ranch, with NLF Assistant Ranch Manager, Jesse Gomez. I observed the hillsides surrounding the Airport Mesa had recently been grubbed (vegetation removed), graded, and terraced. The habitat, at and surrounding Airport Mesa, meet the habitat requirements for sustaining populations of SFVS. Gomez explained the terracing had taken place in August, 2001 and was to be used to plant a test crop of agaves. Based on research I have read, the maturation for harvest of agaves is 8-12 years.

Airport Mesa is located adjacent to the main access road for Newhall Ranch. Land development starts from the nearest access point and works outward in stages. The proximity of Airport Mesa to the access road makes it slated for one of the early phases of development, within the first couple of years of plan implementation. Given that NLF expects to begin developing the property when its application is approved, that they are proceeding on a twenty-five year schedule for total completion of the project, and the observed terracing is in an area scheduled for early construction, it does not appear that NLF will have sufficient time to grow and harvest any agaves they may plant. Based on the foregoing, it is my opinion that NLF is using the idea of an agave farm as a ruse to justify the systematic destruction of habitat that is consistent with SFVS habitat requirements.

On October 10, 2001, I flew over Airport Mesa in a CDFG plane. In addition to the terracing observed on September 19, 2001, I saw complete grubbing and grading of hillsides adjacent to Airport Mesa (Exhibit 3 and 4). The habitat graded meets the habitat requirements for sustaining populations of SFVS. Upon CDFG notification to Los Angeles County Department of Public Works, NLF was issued a citation for violation of the Grading Code on November 11, 2002 and was required to submit a grading and erosion plan by January 11, 2002. NLF has failed to submit this plan.

On December 28, 2001, Meyer and I flew over Newhall Ranch in its entirety. We observed Grapevine Mesa and three smaller adjacent mesas to the west having recently been grubbed and disked (Exhibit 5 and 6). Grapevine Mesa was under cultivation and there were numerous vehicles parked on the road suspected to be the location of the SFVS population which was previously acknowledged by NLF. We did not observe any protective barriers on the mesa. Historical aerial photographs dating decades ago show Grapevine Mesa as open rangeland. The year 2001 was the first year documented through aerial surveillance that the mesa was under cultivation. Based on the foregoing, it is my opinion that the cultivation is another ruse to destroy habitat that meets the requirement of sustaining populations of SFVS.

Numerous requests by Meyer, Wehrje and I, beginning in June, 2000 to the present, have been made to NLF to inspect the property for SFVS. All the requests have been denied. In late June, 2000, Meyer asked Project Manager Mark Subbotin, NLF, for access to the Grapevine Mesa site. Subbotin denied access but stated a visit may be possible at a later date. I asked Subbotin for access to the property to inspect the population of SFVS at

Grapevine Mesa on January 14, 2002. CDFG Regional Manager Chuck Raysbrook telephoned me to relay that Subbotin had called him about my request. Raysbrook said Subbotin denied all access to CDFG because the last time CDFG was allowed onto Newhall Ranch, it resulted in NLF receiving the citation for unlawful grading. Subbotin also called me on January 15, 2002, to tell me that I was denied access to the property. Several other denied requests for access made by Meyer, Wehtje and I were not documented.

During my phone conversation with Subbotin, he asked me why the CDFG was so interested in visiting Grapevine Mesa. I told Subbotin that the CDFG wanted to inspect the protective barriers NLF said they had constructed to protect the SFVS population. Later that day, I received an email from Subbotin with a photo attachment. The photo showed redwood poles depicting NLF's protective barriers (Exhibit 7). There is no evidence of weathering on the poles. Poles that had been exposed to two seasons of winter would exhibit uneven coloration due to fading. It is my opinion that these poles were new and had recently been embedded into the ground.

Based on the foregoing, I believe there is probable cause that a violation of Fish and Game Code sections 2080 and 1908, the unlawful take of an endangered species has occurred on Newhall Ranch. Newhall Ranch lands need to be searched to collect evidence of past and currently ongoing violations of law and to ensure the protection of any existing populations. The search will consist of CDFG personnel (peace officers and environmental scientists) and Los Angeles County District Attorney Office Environmental Crimes Division Investigators conducting plant surveys and searches for possible evidence of take of SFVS.

The inspection will be conducted during daylight hours. The surveys will consist of field teams walking transect lines over the property. Upon locating an individual plant, the area surrounding the individual will be canvassed for additional plants. This area will be photographed and mapped by global positioning instruments. The number of individuals in the population will be scientifically estimated. Populations will be mapped onto aerial and topographical maps. All evidence of take will be documented and any dead specimens will be collected. CDFG biologists estimate it will take approximately a week to conduct the surveys.



## CONTINUATION SHEET

PAGE 2 OF PAGE 8

California Department of Fish & Game  
South Coast Region  
PROPERTY RECEIPT AND  
INVENTORY

PROPERTY #

DATE

5-22-02 THU 5:28-02

CASE NAME

Newhall Ranch

CASE NUMBER

AB022841

INVESTIGATOR

Penelope Liotta

SEARCH WARRANT:

☒ YES☐ NO

LOCATION ADDRESS:

NEWHALL RANCH, LOS ANGELES, CA

LOCATION #

PERSON FROM WHOM PROPERTY WAS TAKEN:

(NAME)

NEWHALL LAND AND FARMING (TITLE)

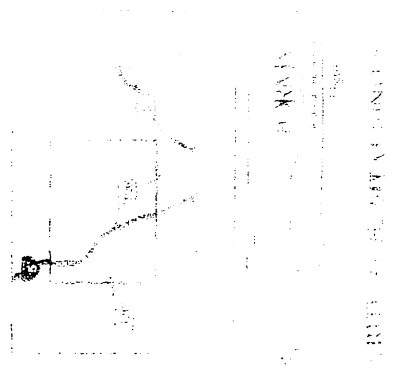
## INVENTORY

ITEM	BOX #	DESCRIPTION OF PROPERTY
15		2001 SFVS (AIRPORT MESA)
16		2001 SFVS (AIRPORT MESA)
17		SFVS (AIRPORT MESA)
18		SFVS (AIRPORT MESA)
19		ALFALFA / STRAW (AIRPORT MESA)
20		SFVS branch (AIRPORT MESA)
21		TURKISH BROSING (AIRPORT TERRACES)
22		SFVS (E. AIRPORT MESA)
23		SFVS 2001 (AIRPORT MESA)
24		SOIL (AIRPORT MESA)
25		SOIL (AIRPORT MESA)
26		SOIL (AIRPORT MESA)
27		SOIL (AIRPORT MESA)
28		SFVS PARTS (Creek bottom area)
29		SFVS PARTS (Creek bottom area)
30		SFVS (GRAPEVINE AREA)
31		SFVS (GRAPEVINE MESA AREA)
32		(1) 2001 SFVS (GRAPEVINE MESA)
33		(1) 2002 SFVS (GRAPEVINE MESA)
34		Medicago polymorpha
35		(1) Spineflower (SFVS) carcass (GRAPEVINE MESA)
36		(1) SFVS carcass (GRAPEVINE MESA)
37		(1) SFVS carcass (GRAPEVINE MESA)
38		
39		
40		
41		
42		
43		

AREA ONE = GRAPEVINE MESA AREA TWO = AIRPORT MESA

Maps & News Articles  
Regarding  
Arroyo Tond  
Habitat





**Capriati  
rallies for  
French title**

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# SANTA CLARITA SUNDAY

## WEATHER

Mostly sunny  
Highs: 88-94  
Lows: 55-62  
Back of  
Viewpoint



Online: [dailynews.com](http://dailynews.com)

JUNE 10, 2001

ONE DOLLAR DESIGNATED AREA SHIRTS

# Toad report overlooked

By Kathleen Sweeney  
Staff Writer

**SANTA CLARITA** — The rare 2-inch, greenish-gray toad recently found along the banks of the Santa Clara River was first spotted in the river seven years ago by a biologist now conducting surveys for Santa Clarita's largest developer.

In 1994, Louis Courtois saw the arroyo southwestern toad east of the Golden State (5) Freeway, according to the California Natural Diversity Database. But the U.S. Fish & Wildlife Service didn't discover the report until last month, after The Newhall Land

## Sighting not used in key habitat decision

and Farming Company's property was excluded from a critical habitat area for the toad — in part because the amphibian hadn't been found on its property.

"Somehow, it (the 1994 report) was overlooked," said Rick Farris, a senior biologist for the U.S. Fish & Wildlife Service. "We have no explanation why it wasn't accounted for."

The sighting of the endangered toad wasn't the last made by Courtois and other biologists working for the creek and North Valencia II projects.

According to Newhall Land's environmental impact report on its North Valencia I project, the toad was found in 1996 west of McBean Parkway and along the upper San Francisco Creek — near the same area it was found two years prior. The report notes there is moderate potential for the toad in the area and good habitat.

In 1998, Frank Hovore, a biologist working for Newhall Land on its West-creek and North Valencia II projects,

was watching what he believed were arroyo toad eggs in San Francisco Creek. Then, a large storm swept through the area, washing away the eggs.

In 1999, Courtois, surveying the Santa Clara River east of McBean toads over background noise of other toads necessarily results in the conclusion that the arroyo toads are absent from site," Fish & Wildlife officials wrote in a letter to Courtois.

protocol, were incomplete, were conducted during adverse conditions or during a season of severe weather conditions and reporting requirements weren't fulfilled.

"You based your conclusions upon your inability to hear calling arroyo toads because of the 'overwhelming presence of other species.' We do not agree that the inability to hear arroyo toads over background noise of other toads necessarily results in the conclusion that the arroyo toads are absent from site," Fish & Wildlife officials wrote in a letter to Courtois.

See TOAD / Page 4



# Management proposal filed

**TOAD** / From Page 1

In 2000, while surveying land east of I-5 for an endangered fish — the unarmored threespined stickleback — for the Fish & Wildlife Service, Courtois identified six arroyo toads, but didn't report the finding until March 23 — after the critical habitat was identified for protection.

Farris said because the finding was made under a permit for work on the stickleback, law didn't require he immediately report the findings.

"It's possible that it wouldn't have had an effect," on the critical habitat designation, he said.

Nancy Sandburg, a biologist hired by the Center for Biological Diversity and Friends of the Santa Clara River, has since January discovered more than 10 arroyo toads along the Santa Clara River and San Francisquito Creek.

Lois Grunwald, Fish & Wildlife Service spokeswoman, said Newhall Land's property was excluded from the critical habitat area because the company submitted a Natural Rivers Management Plan outlining how the developer will protect any endangered species discovered on the property.

That plan didn't address the arroyo toad because surveyors didn't find evidence of the species, said Marlee Lauffer, Newhall Land spokeswoman. The company also was unaware

of Courtois' 2000 findings until he reported it in March.

Because of the recent findings, although Newhall hasn't received Sandburg's report, the company is surveying for arroyos in the area again.

"If it is identified, there are mitigation measures that can deal with it," Lauffer said.

Dan Holland, an ecologist/herpetologist who studied the toads for five years at Camp Pendelton in northern San Diego County, discovered that arroyo toads can be present in a habitat without being seen.

"If you only go out and stand on the bridge and listen for the arroyo toad, that's not how to search for them," Holland said. "You may not find them even if they are there."

Temperature, available food, water flow and the time of year can either drive toads into the open or keep them buried in the sand along river banks. Usually, adults only come out at night.

The toad lives in rivers that have shallow pools adjacent to sandy terraces, and breeding occurs on large streams with persistent water from late March until mid-June, officials said.

The toad has lost about 75 percent of its historical habitat because of urbanization, dam construction beginning in the late 1900s and other activities, officials said. Because of habitat destruction, only eight drainages remain where they will live. The

## SIX SIGHTINGS

Chronology: Biologists have documented six sightings since 1994 of the endangered arroyo southwestern toad.

Date	Location observed	Biologist
1994	East of Golden State (5) Freeway	Louis Courtois
1996	West of McBean Parkway and upper San Francisquito Creek	Unidentified
1998	San Francisquito Creek	Frank Hovore
2000	East of I-5 at Castaic Junction	Louis Courtois
2001	Critical habitat established	
2001	San Francisquito Creek and the Santa Clara River	Nancy Sandburg

Sources: U.S. Fish & Wildlife Service, The Newhall Land and Farming Company's environmental impact reports.

toad became a federally endangered species in January 1995.

While developers insist the river management plan will protect the toad, Holland said construction can disrupt habitat areas in several ways.

Building homes in the upland areas increases predators, such as raccoons, and eliminates habitat around the river where the toads travel.

Concrete soil river bank stabilization can suffocate buried toads, off-road vehicles or pedestrians following trails can squash the toads.

Also, a change in water velocity — which occurs when neighborhoods drain into waterways — will make the river or creek bed less suitable for the toad to lay eggs.

The Army Corps of Engineers and the U.S. Fish and Wildlife

Service are reviewing the Newhall Land project permits and the river management plan a process that will take several months.

Aaron Allen, senior project manager for the Army Corps said Newhall Land is preparing a biological assessment of the management plan that will specifically address the possible impacts for the toads. Once that assessment is complete, the Corps and Fish & Wildlife Service will reinstate consultation on the project.

Until then, Newhall Land has stopped construction, Allen said.

"All the information that is coming to light is all new information to us," he said. "And that's why we are reinstituting consultation for the species at this time."

Yon

Bird Survey  
Info

Subsequent To  
NRMP

BIRD SURVEYS ALONG A PORTION OF THE  
SANTA CLARA RIVER AND ITS TRIBUTARIES  
UPSTREAM FROM THE CASTAIC CREEK CONFLUENCE,  
NEAR VALENCIA, CALIFORNIA, 1999

Prepared for:

Mark Subbotin  
Valencia Corporation  
23823 Valencia Blvd.  
Valencia, Ca. 91355

Prepared by:

Daniel A. Guthrie  
W.M. Keck Science Center  
925 N. Mills Ave  
Claremont Ca. 91711  
(909) 607-2836  
dguthrie@jsd.claremont.edu

August 26, 1999

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W.M. Keck Science Center  
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### Nature and Scope of Surveys

During the spring and early summer of 1999 surveys were conducted along a section of the Santa Clara River and its tributaries near Valencia, California (Figure 1). Surveys were focused on determining presence or absence of, Yellow-billed Cuckoo, Least Bell's Vireo and Southwestern Willow Flycatcher, and followed U.S. Fish and Wildlife Service Guidelines for the latter two species. Numbers of all species observed were noted, and, in addition to the three species noted above, special attention was placed on locating species considered rare and endangered or of Special Concern, and on determining numbers of Brown-headed Cowbirds.

Each survey was conducted on foot by observers well acquainted with visual, auditory and behavioral characteristics of southern California birds. Survey routes were designed to cover all areas of each section of the river, with emphasis placed on wetter habitats where Least Bell's Vireos and other sensitive riparian species are most likely to occur. All surveys occurred between 5:30 and 10:00 a.m. If focus species (Yellow-billed Cuckoo, Least Bell's Vireo, and Southwestern Willow Flycatcher), were not visually observed, tapes of their calls were played in an attempt to elicit a response. Personnel for all surveys were Daniel A. Guthrie and Judith A. Sugden, both working under Federal Fish and Wildlife Service Permit number TE810394-1, issued under section 10(a)(1)(A) of the Endangered Species Act.

To facilitate surveys and observe the coverage guidelines for focus species, the area was divided into eight sections (Figure 1). Delineation of the eight areas and comments on each follow. Surveys of the normally dry sections of the river system (Areas 4,6-8) were conducted twice during the nesting season. Both surveys was conducted in June to insure that late arriving species such as Yellow-billed Cuckoo and Willow Flycatcher would not be missed. Surveys of the remaining sections of the Santa Clara River (Areas 1-3,5) were conducted according to the Least Bell's Vireo protocol outlined by the Fish and Wildlife Service (Appendix 1), and consisted of 8 surveys, two each in April, May, June and July. Surveys in late May and during June also followed Fish and Wildlife Service protocol for Southwestern Willow Flycatcher.

## Habitat Condition and Bird Observations.

The riparian zone of the Santa Clara River, as described here, consists of two major habitat types, a wet riparian zone and a dry riparian woodland. The wet riparian zone consists of obligatory wet plants such as cattail and watercress found in continually moist soils along the active river channel and some willow, tamarisk and baccharis shrubs also found in this zone. This zone is usually flooded during winter rains with the removal of much of the annual vegetation. The dry riparian woodland consists of larger willow and cottonwood forests along the margins of the wet riparian zone and occurring on soils above the flood plain that are normally not damaged in winter floods. Due to El Nino, the winter of 1997-98 was very wet, with several heavy rains causing severe flooding along most sections of the river. Except for Castaic Creek, where flooding was controlled by upstream dams, flooding removed all wet riparian vegetation along the river as well as many areas of dry riparian woodland. During 1999 there was less rain than usual with the result that wet riparian vegetation that began to grow in 1998 continued development, gaining in density and height. However, in many areas the river channel was cut into old flood deposits, leaving areas of bare sand and dead and dying vegetation along many areas of the river.

Different species breed at different times of the year. In general, species are most easily observed when they are actively defending territories by song during the establishment of breeding pairs. Once pairs are established and nesting begins song often decreases and the numbers of birds observed, therefore, also decreases. After young leave the nest, numbers observed increase. Thus, for most resident species, numbers of adult birds are most accurately censused in April and May, when territorial activity is at a maximum. A few species such as Anna's Hummingbird that nest early in the season may be underestimated. Numbers observed may decrease slightly in June and early July when birds are less active during nesting, and increase in late June and July when young birds leave the nest.

Several species that are not considered riparian species but are common in adjacent coastal sage and chaparral habitats come into the riparian zone in late summer when other vegetational areas are dry. The increase in numbers of House Finch, and Mourning Dove in late July follow this trend.

The lack of flooding in 1999 and the continued growth of wet riparian vegetation caused an increase in number of many wet riparian species. However, construction activities along several sections of the river and associated noisemakers caused a noticeable reduction in numbers of riparian species and reduced numbers of coastal sage species visiting the riparian zone from neighboring habitats. Following are specific comments on the habitat and bird observations in each area.

**Area 1. Santa Clara River; Old Highway to the mouth of Castaic Creek and Castaic Creek from this confluence upstream to State Route 126.**

Length of section, 3.5 miles. The Santa Clara River flows continuously in this section and is augmented by the Valencia waste water outfall near the upstream end of this section and by some

### Area 3. Santa Clara River; McBean Parkway to Bouquet Canyon Road.

Length of section, 1.2 miles. Water, supplied by the Saugus wastewater outfall at the Bouquet Canyon Bridge, is continuous in this section of the Santa Clara River. A small amount of additional water is provided from irrigation runoff coming from Bouquet Canyon. Flooding in 1997-98 removed all wet riparian vegetation from this section of the river and also removed large sections of cottonwoods planted as mitigation for development. Today dry riparian vegetation is restricted to a narrow zone on the north side of the river near McBean Parkway, to some islands of vegetation within the river channel, and a more extensive forest near the athletic park on the south side. Wet riparian vegetation consists of a narrow zone along the outflow from the Saugus outfall, a willow forest in the mouth of Bouquet Canyon Creek, and an extensive flat of cattail, baccharis and willow just upstream from the McBean Bridge.

Noisemakers along the north side of the entire length of this section were active during most censuses to scare birds away from construction sites. This resulted in a reduction in the number of birds seen and heard. Cowbird traps were operated in the section just above the McBean Bridge during May and June. The cattail flat just east of the McBean Bridge attracted a colony of Red-winged Blackbirds and other wet riparian species. Barn Owls, Cliff Swallows and a Black Phoebe nested under the McBean Bridge.

### Area 4. Santa Clara River; Bouquet Canyon Road upstream to DWP transmission lines.

Length of section, 2.3 miles. The river channel in this section consists of a broad, flat, dry wash with narrow margins of dry riparian woodland. Within the channel are areas of coastal sage scrub habitat. This section of the Santa Clara River in past years has been wet only briefly during spring rains and due to water release from pumps one mile upstream from Bouquet Canyon Road. This year there was water flowing continuously in this section of the river only during the early Spring. By the time of this census, water was present only in the small section of continuous flow about 1 mile upstream from the Bouquet Canyon Bridge. However, remnant cattails from earlier spring flow provided habitat for some wet riparian species such as Red-winged Blackbirds and Song Sparrows. A White-tailed Kite nested in the large cottonwoods on the north side of the river just upstream from Bouquet Canyon Bridge.

### Area 5. Castaic Creek; Route 126 to Old Road next to Interstate 5.

Length of section, 1.8 miles. Water was released from upstream dams during most of the study period but not continuously. Except for pockets of wet vegetation formed near irrigation runoff channels, and a section of continuous flow near the middle of this section, the creek was dry much of this spring. Construction occurred on a new road crossing and bridge on this section of Castaic Creek and development during 1998 removed most of the coastal sage and ruderal vegetation that once bordered both sides of the riparian zone, eliminating some coastal sage species that visited this area in earlier years. Swallows nested again under the bridge across Route 126 and began nesting under the new bridge during July. The extensive willow forest on

this section where Least Bell's Vireo once nested has matured and was dry much of this year. No vireos have been seen here the last three years and the area no longer seems suitable habitat due to its age and lack of permanent water.

**Area 6. San Francisquito Creek; Santa Clara River upstream 2.5 miles.**

Length of section, 2.5 miles. Along most of this section the riparian zone consists of a broad sandy channel. Once bordered by coastal sage scrub habitat, the channel is now bordered by developed areas. In the upper part of this section, however, coastal sage scrub plants still occur within the channel as do sections of dry riparian woodland consisting mostly of cottonwoods. Arundo and tamarisk are common along this section along the stream channel. A single wet area exists near power transmission lines in the upper section of this stream, which was dry during surveys, but showed some effects of flow earlier in the spring. The lower ½ mile of San Francisquito Creek is wet due to runoff from adjacent development. Construction activity and noisemakers to scare away birds were present along this section throughout the survey period and resulted in lower observations of wet riparian species. ★

**Area 7. South Fork of the Santa Clara River; McBean Parkway to Magic Mountain Parkway (Route 126).**

Length of section, 1.0 miles. The channel along this section of the South Fork is narrow and very sandy. Along most of this section vegetation is restricted to a narrow band of dry woodland and at each side of the channel and a few pockets of wet vegetation supported by runoff from adjacent development. Near the confluence with the main channel of the Santa Clara River a more extensive area of woodland exists on the north side of this section.

**Area 8. South Fork of the Santa Clara River, Route 126 upstream to Newhall Creek.**

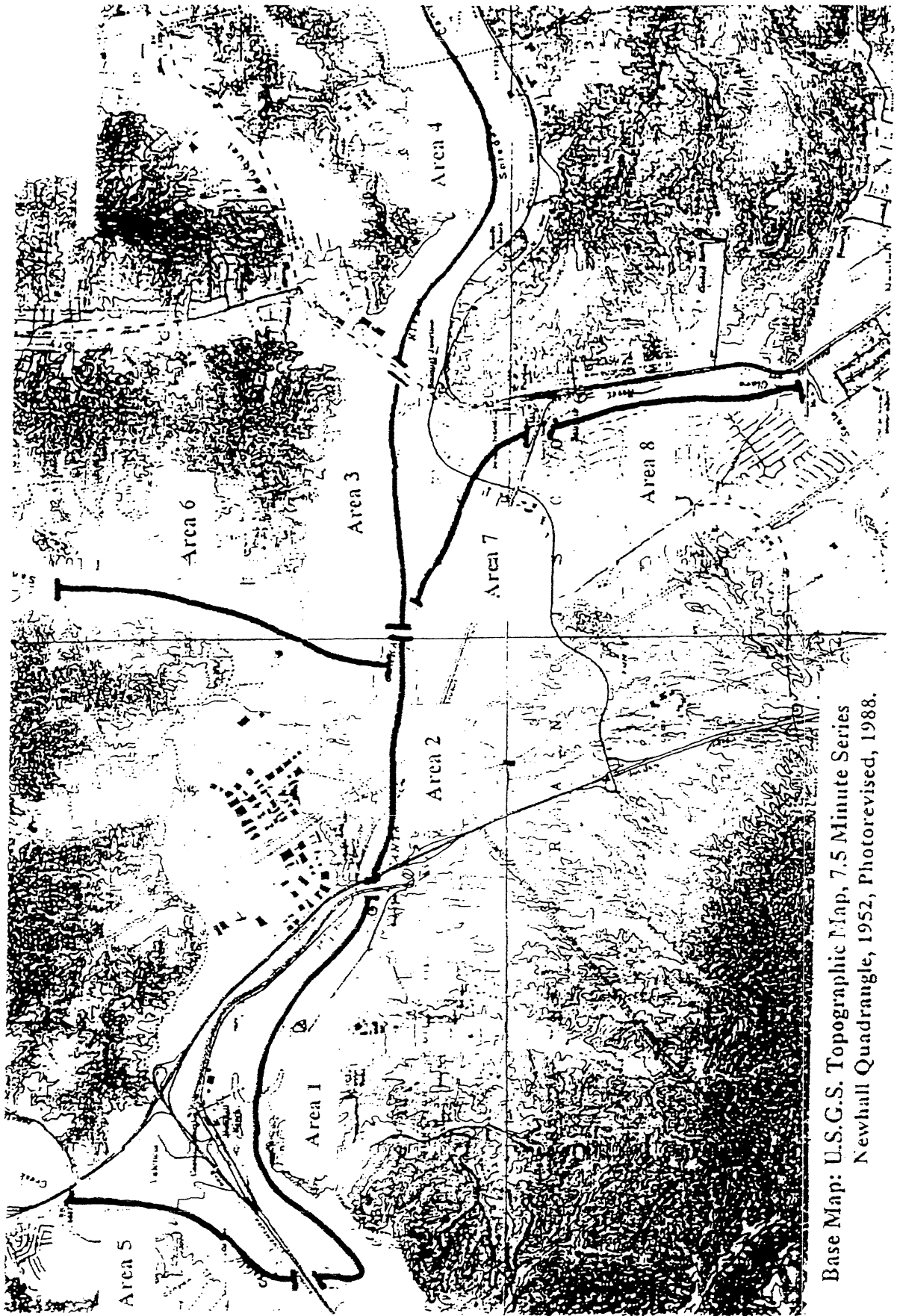
Length of section, 1.4 miles. This section of the river consists of a wide sandy channel intersected by several concrete sills designed to restrict sand movement and flood damage. The river is entirely bordered by developed areas but contains small islands of dry riparian vegetation and some wet riparian areas formed by runoff from culverts along the sides of the creek. No flooding has occurred on this section of the river in recent years and riparian vegetation around this culverts continues to develop ~~the well develop~~ into areas of cottonwood and willow woodland. The result was the continued increase in riparian species along this section of the river.

**Comments on Threatened and Endangered Species**

**Yellow-billed Cuckoo**

The Yellow-billed Cuckoo is listed as a State Endangered Species. Despite playing taped calls

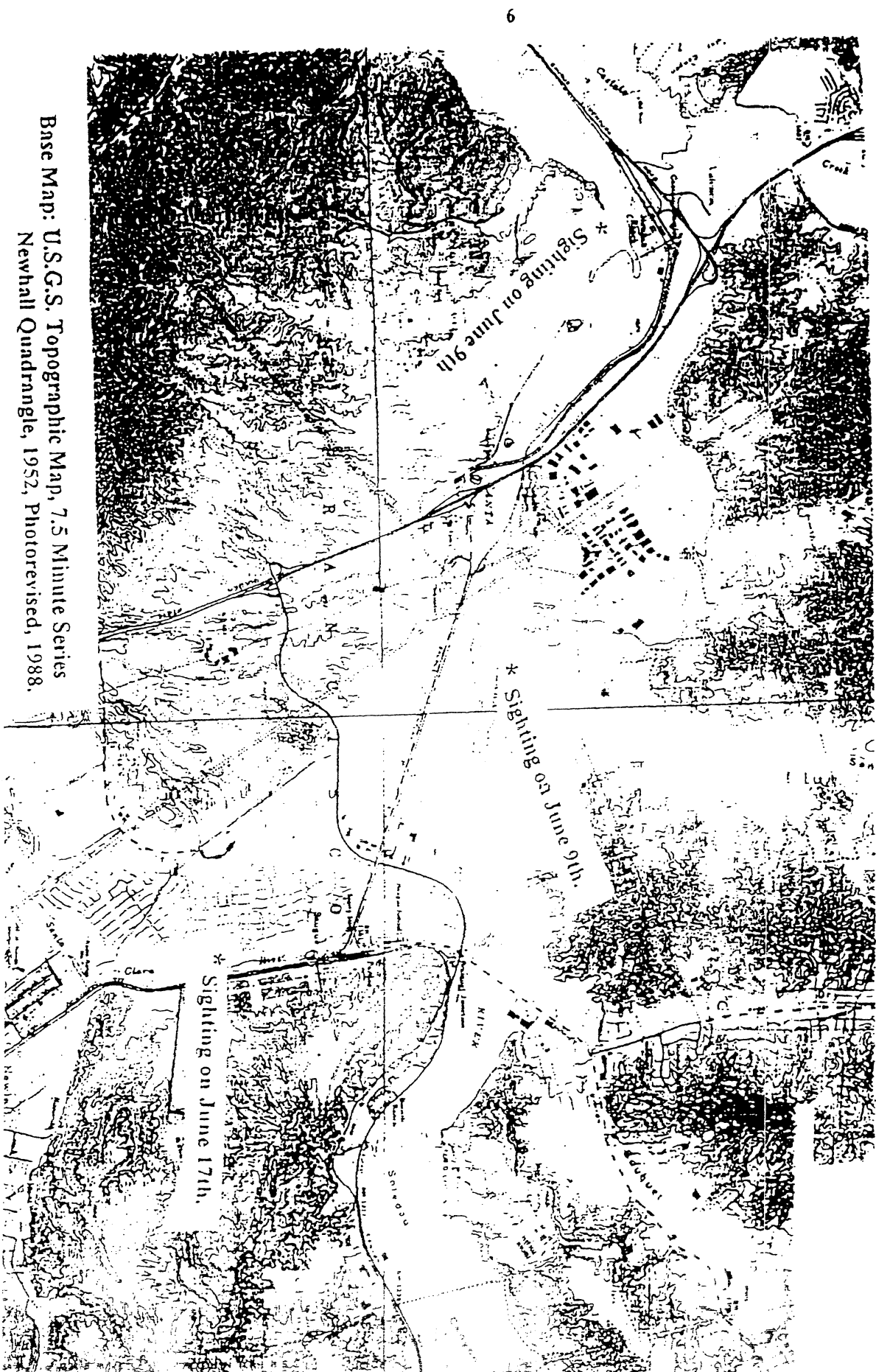
Figure 1. Survey Areas along the Santa Clara River and Tributaries.



Base Map: U.S.G.S. Topographic Map, 7.5 Minute Series  
Newhall Quadrangle, 1952, Photorevised, 1988.



Figure 2. Southwestern Willow Flycatcher Sightings during 1999.



irrigation runoff from Magic Mountain and agricultural fields along the north side. Extensive dry riparian forests occur near the Valencia Waste water outfall, near Magic mountain, and near the Valencia Travel Village. Cooper's Hawk and White-tailed Kite nested in these areas as did many wrens and towhees. Wet riparian vegetation in this section forms a narrow strip near the Old Road but widens out further downstream. This wet vegetation was unaffected by spring floods. However, some areas that were wet before the floods of 1997-98 were dry due to channel deepening and vegetation in these areas was dying. A wet riparian area along the south side near Magic Mountain where Least Bell's Vireos have nested in past years was becoming more mature and drier. Perhaps due to these habitat changes, no vireos were found here this year. A section of the river bypassed by a channel cut to prevent flood damage to the Old Road in 1997-98 showed continued development of wet riparian vegetation, including a willow thicket and cattail marsh. This section was attractive to many Red-winged Blackbirds and other wet riparian species and should be suitable habitat for vireos in another year.

over - pumping  
the river

The section of Castaic Creek between the Santa Clara River and Route 126, which is included in this section consists of a wide dry wash. This section was dry throughout the survey period and contains almost exclusively dry riparian vegetation plus some remnants of coastal sage scrub habitat.

The river along this section is bordered by agricultural fields, Magic Mountain development but on the south side in the lower section is still bordered by extensive coastal sage scrub habitat. This accounts for the many observations of wrentit and other species from this habitat.

#### Area 2. Santa Clara River; Old Highway to McBean Parkway.

Length of section, 1.4 miles. The Santa Clara River flows continuously in this section and additional water is provided by irrigation runoff from industrial parks along the north side.

The channel was heavily scoured by spring flooding in 1997-98 which eliminated all wet riparian vegetation along the main channel of the river and destroyed a large area of dry riparian forest along the south side. However, a large stand of dry riparian forest and some wet riparian areas along the north side near the mouth of San Francisquito creek were unaffected. As in previous years, this section of the river was impacted by off road vehicles during the study period. Noisemakers along the both sides of the river just west of McBean were active during most censuses to scare birds away from construction sites along the sides of the river and caused a reduction in sightings of many dry riparian species. A small area of coastal sage scrub borders the river just east of Interstate 5, but along the rest of this section the river is now bordered by commercial development.

The wet willow forest near the mouth of San Francisquito Creek attracted a migrating Willow Flycatcher and seems suitable for Least Bell's Vireo, although none were seen here. White-tailed Kite, Cooper's Hawk and many woodpeckers nested in dry riparian woodlands along this section of the river.

of this species during June and July surveys, no individuals of this species were observed in 1999. Two migrating cuckoos were observed about ½ mile above McBean Bridge in 1998.

### Southwestern Willow Flycatcher

This subspecies is listed under the Federal Endangered Species Act. Willow Flycatchers were once widespread in wet riparian woodland in southern California but now only a few individuals exist. The main California breeding populations of this species are along the Kern River and north of Santa Barbara.

Following the Protocol outlined by Sogge (Technical Report NPS/NAUCPRS/NRTR-97/12) four surveys were conducted specifically for Southwestern Willow Flycatcher in Areas 1-3 and 5 (see dates on tables 1-3, 5). All surveys occurred between 5:30 and 10:00 am. and used taped calls to elicit a response if flycatchers were not first observed. Other sections of the river (Areas 4 and 6-8) were dry during the nesting season for this species, and, therefore, were not considered suitable habitat. However, the two surveys that were conducted of these areas were timed so as to be within the time frame recommended for Southwestern Willow Flycatcher.

Three Willow Flycatchers were observed at locations shown on Figure 2. All three observations were of single birds that did not call except in response to a tape. The two sightings on June 9th could not be refound on subsequent surveys on June 22 and July 6th. Both these birds were in suitable nesting habitat for this species. The bird found on June 17 was not refound on a visit to the site on June 22 and was found in an area of riparian habitat probably not suitable for nesting due to its small extent and isolation from other suitable habitat. All three birds are considered migrants passing through the area.



### Least Bell's Vireo

Surveys of the wet riparian areas (Areas 1-3,5) followed U.S. Fish and Wildlife Service Guidelines for Least Bell's Vireo. Eight surveys were conducted between April 10 and July 31 (see Tables 1-3,5 for dates). All surveys occurred between 5:30 and 10:00 am. and taped vireo calls were played if no vireos were heard or seen. No vireos were observed during 1999 surveys. In past years vireos have been present along Castaic Creek and along the Santa Clara River near Magic Mountain. In both areas vegetation has become perhaps too mature to be prime habitat for this species. However, at Magic Mountain new habitat is developing nearby and may be suitable for vireos in another year.

### Comments on Sensitive Species

#### Great Blue Heron

Great Blue Herons are listed on the California Natural Diversity Data Base as a species that

warrents monitoring. Individuals of this species was observed sparingly along the river after the breeding season and along other sections of the river during migration. No nesting was observed and herons were absent during the nesting season.

### Great Egret

The Great egret is listed on the California Natural Diversity Data Base as a species that warrents monitoring. A few individuals were observed along the river during migration and after the breeding season.

### White-tailed Kite

This species, formerly the Black-shouldered Kite, is considered a Species of Special Concern by the State of California. Three pair of kites nested successfully in the survey area. One pair of kites nested in the dry riparian woodland near Castaic Junction. A second pair nested near the mouth of San Francisquito Creek and a third pair nested approximately 1/4th mile east of the Bouquet Canyon Bridge.

### Cooper's Hawk

Cooper's Hawk is considered a Species of Special Concern by the State of California. Cooper's Hawks were observed rarely along the main river in 1999 and may have nested just east of Interstate 5.

### California Horned Lark

This species is a candidate for listing under the Federal Endangered Species Act. Although none were observed nesting on the study site, Horned Larks do nest on dry hillsides and agricultural areas in adjacent areas and were observed in late summer feeding on a bare construction area north of the Santa Clara River just west of the Bouquet Canyon Bridge.

### Yellow Warbler

The Yellow Warbler is considered a Species of Special Concern by the State of California. Yellow Warblers prefer wet riparian habitat but are also found in large cottonwoods in drier riparian areas. Singing yellow warblers were observed along the continuously wet sections of the survey area during nesting season, but were observed in other dry sections of the river only during migration.

### **Yellow-breasted Chat**

The Yellow-breasted Chat is considered a Species of Special Concern by the State of California. A few chats nested along the wet sections of the Santa Clara River.

### **Tricolored Blackbird**

The Tricolored Blackbird is a Candidate for listing under the Federal Endangered Species Act. A small group of male Blackbirds were present throughout the survey period in irrigated areas of the baseball park on the south side of the Santa Clara River between McBean Bridge and Bouquet Canyon crossing. No evidence of nesting was observed.

### **Lawrence's Goldfinch**

This species is a highest priority species on the Audubon Birds to Watch list for 1996. This species nests in chaparral vegetation and small flocks of this species were observed drinking along the Santa Clara River and its tributaries where native vegetation is still present next to the river.

### **Comments of Brown-headed Cowbirds**

Although not a Species of Concern, comments about this species are warranted due to its influence on several endangered species. Cowbirds were regularly observed along all sections of the Santa Clara River, usually flying along the riparian corridor searching for either mates or potential nests to parasitize. Cowbird females often responded to taped calls of Least Bell's Vireo. Cowbird numbers showed a marked decrease after mid July between Bouquet Canyon and McBean Bridges, probably due to the operation of cowbird traps just upstream from the McBean Bridge during late May and June. These traps also caught large numbers of red-winged blackbirds. Although released each day, this trapping may have affected the breeding of this species.

Table 1. Bird Observations along the Santa Clara River System,  
1999; Santa Clara River from Old Highway along I-5 to  
the mouth of Castaic Creek and Castaic Creek from this  
confluence to State Route 126.

species	date: 4/10	4/20	5/13	5/24	6/9	6/22	7/6	7/27	status
Great Blue Heron	-	-	-	-	-	-	1	-	M
Great Egret	1	2	1	1	-	-	-	-	M
Green Heron	2	-	-	-	-	-	1	2	R*
Bl.-cr. Night Heron	1	-	-	-	-	-	-	-	M
Mallard	5	2	3	5	3	3	-	-	R*
Turkey Vulture	2	-	-	-	-	-	-	-	M
White-tailed Kite	2	-	1	3	2	1	-	3	R*
Cooper's Hawk	-	-	-	-	-	1	-	1	R*
Red-shouldered Hawk	1	1	2	2	2	3	2	2	R*
Red-tailed Hawk	-	-	3	2	3	2	1	2	R*
American Kestrel	-	-	1	-	-	2	-	-	R*
California Quail	5	8	31	26	10	21	22	8	R*
Virginia Rail	2	1	-	-	-	-	-	-	M
Sora	3	-	-	-	-	-	-	-	M
Killdeer	3	5	7	12	8	7	5	-	R*
Spotted Sandpiper	-	-	-	2	1	1	-	-	S*
Domestic Pigeon	-	-	8	-	-	-	-	-	R*
Mourning Dove	6	7	23	14	14	10	9	12	R*
Greater Roadrunner	-	-	-	1	-	-	-	-	R*
White-th. Swift	-	-	-	-	2	-	-	-	R*
Black-ch. Hummingbird	-	-	4	-	-	-	-	2	S*
Anna's Hummingbird	5	6	4	3	1	3	5	6	R*
Belted Kingfisher	1	-	-	-	-	-	-	-	M
Nuttall's Woodpecker	1	1	11	4	4	7	2	5	R*
Downy Woodpecker	-	1	6	1	1	1	1	2	R*
Hairy Woodpecker	1	2	1	-	-	-	-	2	R*
Northern Flicker	3	1	-	-	1	3	1	1	R*
Western Wood Pewee	-	-	-	1	-	-	-	-	M
Willow Flycatcher	-	-	-	-	1	-	-	-	M
Black Phoebe	3	1	4	2	4	6	1	10	R*
Say's Phoebe	-	-	-	1	-	-	-	-	R*
Ash-thr. Flycatcher	-	3	12	7	5	7	4	6	S*
Western Kingbird	-	2	2	-	3	3	2	1	S*
Tree Swallow	4	-	-	-	-	-	-	-	S*
Violet-green Swallow	4	-	3	-	4	2	4	-	S*
N. Rough-w. Swallow	43	30	58	36	10	14	30	4	S*
Cliff Swallow	100	80	120	20	12	30	25	50	S*
Barn Swallow	1	-	4	4	8	1	-	1	S*
Scrub Jay	6	7	13	12	6	10	6	7	R*
American Crow	29	5	16	8	5	6	8	3	R*
Common Raven	6	4	12	4	8	12	12	6	R*
Plain Titmouse	1	4	7	-	1	3	4	3	R*
Bushtit	4	-	18	3	4	6	13	12	R*
Bewick's Wren	13	13	63	21	14	12	18	11	R*
House Wren	2	8	54	14	3	2	5	1	R*

Table 1 (cont.). Bird Observations along the Santa Clara River System, 1999; Santa Clara River from Old Highway along I-5 to the mouth of Castaic Creek and Castaic Creek from this confluence to State Route 126.

Species	date: 4/10	4/20	5/13	5/24	6/9	6/22	7/6	7/27	status
Western Bluebird	4	3	2	2	2	-	-	-	R*
Lincoln's Thrush	-	-	2	-	-	-	-	-	M
American Robin	-	-	2	-	-	-	1	-	R*
Hermit	-	5	9	10	1	5	2	11	R*
Clif. Thrasher	-	-	3	2	1	-	2	-	R*
Junco	-	-	4	8	18	15	6	11	S*
European Starling	1	6	11	9	16	5	4	2	R*
Arbling Vireo	-	2	-	-	-	-	-	-	M
Orange-cr. Warbler	4	1	-	-	-	-	-	-	M
Yellow Warbler	2	2	8	6	6	3	-	-	S*
Yellow-r. Warbler	26	5	-	-	-	-	-	-	W,M
Common Yellowthroat	13	14	20	16	37	24	44	36	R*
Wilson's Warbler	-	-	9	-	-	-	-	-	M
Yellow-br. Chat	-	-	7	14	4	4	6	-	S*
Western Tanager	-	-	2	-	-	-	-	-	M
Bl.-headed Grosbeak	-	4	14	7	4	3	2	-	S*
Blue Grosbeak	-	-	4	6	2	6	18	10	S*
Indigo Bunting	-	1	-	-	-	1	6	-	S*
Spotted Towhee	3	5	9	16	7	3	2	4	R*
California Towhee	-	2	34	10	5	6	8	6	R*
Chipping Sparrow	-	6	-	-	-	-	-	-	M
Lark Sparrow	3	-	-	1	-	-	-	-	S*
Song Sparrow	74	78	74	84	68	60	52	66	R*
Lincoln's Sparrow	-	2	-	-	-	-	-	-	W,M
White-cr. Sparrow	88	-	-	-	-	-	-	-	W,M
Red-w. Blackbird	70	40	68	79	46	10	50	1	S*
Brown-headed Cowbird	-	-	35	27	25	12	9	12	S*
Bullock's Oriole	1	4	7	-	2	-	-	-	S*
House Finch	6	6	12	6	8	7	8	8	R*
Lesser Goldfinch	12	8	24	18	6	8	16	20	R*
Lawrence's Goldfinch	-	-	-	2	-	-	-	-	R*
American Goldfinch	36	-	-	-	-	-	-	4	W,R*
Total Species:	45	43	51	45	46	44	41	39	

Total Species on all visits: 77

Total Potential Breeding species: 59 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

Table 2. Bird Observations along the Santa Clara River System,  
1999; Santa Clara River from McBean Parkway to Old  
Highway along I-5.

Species	date: 4/10	4/20	5/13	5/24	6/9	6/22	7/6	7/20	status
Great Blue Heron	-	-	-	-	-	-	1	-	M
Great Egret	-	-	-	1	-	-	-	1	M
Snowy Egret	-	-	-	-	-	-	-	1	M
Green Heron	-	-	3	3	1	-	1	-	R*
Mallard	-	-	7	-	2	-	-	-	R*
White-tailed Kite	3	2	1	3	1	2	2	4	R*
Cooper's Hawk	-	1	-	-	-	-	-	-	R*
Red-shouldered Hawk	2	-	-	1	-	1	-	3	R*
Red-tailed Hawk	4	-	-	1	-	-	4	2	R*
American Kestrel	-	2	-	-	-	-	-	-	R*
California Quail	4	13	14	14	10	4	15	4	R*
Killdeer	2	6	6	3	5	2	1	4	R*
Least Sandpiper	-	-	1	-	-	-	-	-	M
Domestic Pigeon	12	-	-	-	-	1	-	-	R*
Mourning Dove	6	8	10	6	8	15	7	3	R*
Barn Owl	1	-	-	-	-	-	-	-	R*
Great Horned Owl	-	-	-	-	-	1	-	-	R*
Bl.-ch. Hummingbird	-	-	-	-	2	-	1	-	S*
Anna's Hummingbird	4	5	1	6	4	3	6	-	R*
Costa's Hummingbird	-	-	-	-	2	-	-	-	S*
Nuttall's W-pecker	3	4	4	6	8	5	9	7	R*
Downy Woodpecker	2	4	1	7	7	1	7	2	R*
Hairy Woodpecker	1	-	-	1	-	-	1	-	R*
Northern Flicker	-	2	-	-	-	-	-	-	R*
Olive-s. Flycatcher	-	-	-	1	-	-	-	-	M
Western Wood Pewee	-	-	-	7	2	-	-	-	M
Pac. sl. Flycatcher	-	-	-	1	-	-	-	-	M
Willow Flycatcher	-	-	-	-	1	-	-	-	M
Hammond's Flycatch.	-	-	-	1	-	-	-	-	M
Black Phoebe	1	3	2	2	6	2	5	16	R*
Ash-thr. Flycatcher	-	2	2	4	4	4	5	2	S*
Western Kingbird	-	-	2	-	-	-	1	-	S*
Violet-gr. Swallow	3	4	2	-	-	-	-	-	S*
N. Ro.-w. Swallow	15	4	10	6	25	18	8	-	S*
Cliff Swallow	8	6	-	-	65	50	9	100	S*
Barn Swallow	1	-	-	-	-	-	-	5	M
Scrub Jay	5	11	6	8	6	9	3	3	R*
American Crow	8	-	10	12	-	4	14	3	R*
Common Raven	4	18	2	12	2	11	6	2	R*
Plain Titmouse	2	2	2	2	6	7	3	3	R*
Bushtit	3	8	2	12	2	-	25	9	R*
White-br. Nuthatch	-	-	-	-	1	-	-	-	R*
Bewick's Wren	6	21	8	14	17	14	11	10	R*
House Wren	12	28	3	3	6	12	-	-	R*
Ruby-cr. Kinglet	3	-	-	-	-	-	-	-	W, M
Western Bluebird	1	2	4	-	2	3	10	-	R*
Swainson's Thrush	-	-	1	-	-	-	-	-	M
Hermit Thrush	1	-	-	-	-	-	-	-	W, M



Table 2 (cont.). Bird Observations along the Santa Clara River System, 1999; Santa Clara River from McBean Parkway to Old Highway along I-5.

Species	date: 4/10	4/20	5/13	5/24	6/9	6/22	7/6	7/20	status
American Robin	-	-	-	-	-	-	-	1	R*
Wrentit	-	-	-	-	2	3	2	2	R*
Calif. Thrasher	1	2	1	1	5	2	4	2	R*
Phainopepla	-	-	1	1	12	7	10	15	S*
European Starling	6	22	10	13	18	5	1	2	R*
Warbling Vireo	-	1	-	2	-	-	-	-	M
Orange-cr. Warbler	1	-	-	-	-	-	-	-	M
Yellow Warbler	-	1	2	2	-	2	2	-	S*
Yellow- r. Warbler	35	3	-	-	-	-	-	-	W, M
Bl.th Grey Warbler	-	-	-	1	-	-	-	-	M
Common Yellowthroat	6	27	2	13	18	26	18	3	R*
Wilson's Warbler	2	-	2	5	-	-	-	-	M
Yellow-br. Chat	-	-	3	-	-	-	2	-	S*
Western Tanager	-	-	2	4	-	-	-	-	M
Bl.-headed Grosbeak	-	2	3	9	5	8	3	1	S*
Blue Grosbeak	-	-	1	-	3	1	-	2	S*
Spotted Towhee	2	8	1	10	12	17	8	4	R*
California Towhee	14	22	6	16	15	24	16	6	R*
Chipping Sparrow	-	3	-	-	-	-	-	-	M
Song Sparrow	35	35	32	68	23	27	19	9	R*
Lincoln's Sparrow	-	2	-	-	-	-	-	-	W, M
White-cr. Sparrow	50	5	-	-	-	-	-	-	W, M
Red-w. Blackbird	4	5	16	17	15	-	-	2	S*
Brewer's Blackbird	8	-	-	-	2	-	-	-	R*
Br.-headed Cowbird	-	9	15	19	16	13	24	14	S*
Hooded Oriole	-	-	-	-	-	-	1	-	S*
Bullock's Oriole	-	-	-	-	-	-	3	-	S*
House Finch	60	6	2	6	14	31	41	46	R*
Lesser Goldfinch	30	7	2	5	5	20	15	10	R*
Lawrence's G.finch	-	8	-	-	-	-	-	-	R*
American Goldfinch	-	2	-	-	-	-	2	-	W, R*
Total Species:	41	41	41	43	40	35	41	35	

Total Species on all visits: 79

Total Potential Breeding species: 57 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

Table 3. Bird Observations along the Santa Clara River System,  
1999; Santa Clara River from Boquet Canyon Rd. to McBean  
Parkway.

species	date: 4/10	4/20	5/13	5/24	6/9	6/22	7/6	7/20	status
Great Egret	-	3	-	-	-	-	-	-	M
Green Heron	-	-	-	1	-	-	-	-	R*
Mallard	3	5	1	-	-	1	-	-	R*
Red-shouldered Hawk	1	-	-	-	-	-	1	-	R*
Red-tailed Hawk	-	3	1	-	1	2	2	1	R*
California Quail	8	10	7	19	8	6	20	4	R*
Killdeer	3	9	8	9	-	3	2	6	R*
Domestic Pigeon	35	-	8	-	-	-	9	-	R*
Mourning Dove	6	22	8	28	9	25	6	14	R*
Barn Owl	3	3	2	4	1	1	2	2	R*
Bl.-ch. Hummingbird	-	2	-	-	1	-	-	-	S*
Anna's Hummingbird	6	3	1	9	2	3	5	2	R*
Costa's Hummingbird	-	-	-	1	1	-	-	-	M
Nutt. Woodpecker	1	-	-	2	5	-	3	4	R*
Downy Woodpecker	3	3	-	-	2	-	5	-	R*
Northern Flicker	3	2	-	-	-	-	1	-	R*
Western Wood Pewee	-	-	-	4	-	-	-	-	M
Black Phoebe	4	4	-	3	2	5	-	4	R*
Say's Phoebe	-	-	-	-	-	1	-	-	R*
Ash-thr. Flycatcher	-	3	-	7	1	1	-	1	S*
Western Kingbird	-	-	2	-	-	-	-	-	S*
Horned Lark	-	-	-	1	-	40	-	-	R*
Violet-gr. Swallow	8	-	-	-	-	-	-	-	S*
N. Rough-w. Swallow	40	15	4	1	1	17	-	4	S*
Cliff Swallow	8	60	86	106	80	33	200	100	S*
Barn Swallow	2	-	-	1	-	2	2	6	S*
Scrub Jay	3	10	2	10	2	6	4	4	R*
American Crow	6	1	-	-	-	-	3	2	R*
Common Raven	45	38	24	44	12	24	24	4	R*
Plain Titmouse	-	4	1	-	3	-	1	-	R*
Bushtit	8	4	-	2	4	-	24	-	R*
Bewick's Wren	14	20	3	16	8	6	6	2	R*
House Wren	2	-	-	6	1	-	-	-	R*
Ruby-cr. Kinglet	4	-	-	-	-	-	-	-	W, M
Western Bluebird	-	-	-	2	2	1	-	-	R*
Swainson's Thrush	-	-	-	1	-	-	-	-	M
Hermit Thrush	3	-	-	-	-	-	-	-	M
N. Mockingbird	-	1	-	-	-	-	-	-	R*
Wrentit	1	4	-	-	1	2	-	1	R*
Calif. Thrasher	4	3	-	2	3	2	6	-	R*
American Pipit	9	-	-	-	-	-	-	-	W, M
Phainopepla	-	-	-	-	-	-	1	-	S*
European Starling	1	18	2	13	2	8	-	-	R*
Warbling Vireo	-	2	-	4	-	-	-	-	M
Orange-cr. Warbler	3	3	-	-	-	-	-	-	M
Yellow Warbler	1	-	4	11	1	-	-	-	S*

Table 3 (cont.). Bird Observations along the Santa Clara River System, 1999; Santa Clara River from Boquet Canyon Rd. to McBean Parkway.

Species	date: 4/10	4/20	5/13	5/24	6/9	6/22	7/6	7/20	status
Yellow-r. Warbler	30	8	-	-	-	-	-	-	W, M
Com. Yellowthroat	4	20	3	7	18	32	10	1	R*
Wilson's Warbler	3	-	2	6	-	-	-	-	M
Yellow-br. Chat	-	-	-	1	-	-	-	-	S*
Western Tanager	-	-	-	6	-	-	-	-	M
Bl.-headed Grosbeak	-	2	2	6	2	-	-	-	S*
Blue Grosbeak	-	-	1	2	-	-	-	2	S*
Lazuli Bunting	-	-	-	-	-	2	-	-	S*
Spotted Towhee	3	14	1	7	7	7	-	2	R*
California Towhee	8	24	6	14	15	11	6	5	R*
Song Sparrow	25	67	16	22	20	31	18	4	R*
Lincoln's Sparrow	1	2	-	-	-	-	-	-	W, M
White-cr. Sparrow	40	8	-	-	-	-	-	-	W, M
Red-w. Blackbird	25	20	12	36	24	144	188	24	S*
Tricol. Blackbird	-	2	-	9	-	5	-	-	W, M
Brewer's Blackbird	-	10	-	-	20	-	2	-	R*
Brown-h. Cowbird	-	35	3	6	4	10	25	4	S*
Hooded Oriole	-	-	-	3	-	-	-	-	S*
Bullock's Oriole	-	-	-	-	3	-	-	-	S*
House Finch	14	15	2	14	4	89	14	4	R*
Lesser Goldfinch	22	17	2	2	10	42	8	2	R*
American Goldfinch	-	-	-	-	-	-	-	2	W, R*
House Sparrow	-	-	-	-	-	1	-	-	
Total Species:	40	41	28	41	35	32	29	27	

Total Species on all visits: 69

Total Potential Breeding species: 54 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

Table 4. Bird Observations along the Santa Clara River System,  
1999; Santa Clara River from Power Line 2.5 miles  
upstream from Boquet Canyon Rd. to Boquet Canyon Road  
Crossing.

Species	date:	6/7	6/15	status
White-tailed Kite		2	4	R*
Red-shouldered Hawk		-	1	R*
Red-tailed Hawk		4	3	R*
California Quail		14	22	R*
Killdeer		4	3	R*
Mourning Dove		18	12	R*
Greater Roadrunner		1	-	R*
Anna's Hummingbird		1	-	R*
Nuttall's Woodpecker		1	5	R*
Northern Flicker		3	1	R*
Black Phoebe		1	1	R*
Ash-thr. Flycatcher		3	3	S*
Western Kingbird		2	-	S*
N. Rough-w. Swallow		-	1	S*
Scrub Jay		22	11	R*
American Crow		2	2	R*
Common Raven		19	10	R*
Plain Titmouse		-	1	R*
Bushtit		14	-	R*
Bewick's Wren		24	15	R*
House Wren		1	-	R*
N. Mockingbird		5	4	R*
Wrentit		6	2	R*
Calif. Thrasher		4	-	R*
Phainopepla		8	3	S*
European Starling		2	5	R*
Common Yellowthroat		1	5	R*
Western Tanager		1	-	M
Bl.-headed Grosbeak		3	-	S*
Blue Grosbeak		3	3	S*
Spotted Towhee		12	16	R*
California Towhee		20	12	R*
Song Sparrow		17	20	R*
Red-w. Blackbird		30	18	S*
Brown-headed Cowbird		6	5	S*
Bullock's Oriole		2	2	S*
House Finch		12	3	R*
Lesser Goldfinch		3	4	R*
Total Species:		35	30	

Total Species on all visits: 38

Total Potential Breeding species: 37 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

Table 5. Bird Observations along the Santa Clara River System,  
1999; Castaic Creek from Old Road west to Rte. 126.

species	date: 4/13	4/22	5/12	5/25	6/10	6/23	7/7	7/28	status
Great Blue Heron	-	-	1	-	-	1	2	1	M
Great Egret	-	-	2	-	-	-	-	-	M
Green Heron	-	-	-	-	-	1	1	1	R*
Bl.cr.Night Heron	1	-	-	-	2	2	1	1	M
Mallard	4	1	-	-	-	-	-	-	R*
Cinnamon Teal	1	-	-	-	-	-	-	-	M
White-tailed Kite	2	-	-	-	2	-	2	-	R*
Cooper's Hawk	-	1	-	-	-	-	-	-	R*
Red-sh. Hawk	1	-	-	2	-	1	-	-	R*
Red-tailed Hawk	1	1	-	3	2	-	3	1	R*
American Kestrel	3	-	-	-	-	-	1	-	R*
California Quail	18	23	24	20	4	66	63	42	R*
Killdeer	10	12	12	7	9	5	4	4	R*
Spotted Sandpiper	-	1	1	-	-	-	-	-	S*
Common Snipe	1	-	-	-	-	-	-	-	M
Domestic Pigeon	10	20	12	8	-	10	35	15	R*
Mourning Dove	17	16	25	22	12	24	8	12	R*
Barn Owl	1	-	-	1	-	-	-	-	R*
Bl.-ch.Hummingbird	1	-	1	2	-	-	2	-	S*
Anna's Hummingbird	6	10	8	10	2	4	15	9	R*
Costa's Hummbird	-	-	-	1	1	-	-	-	S*
Belted Kingfisher	1	1	-	-	-	-	-	-	M
Nutt. Woodpecker	2	4	5	6	4	5	3	3	R*
Downy Woodpecker	2	-	2	5	1	3	1	1	R*
Hairy Woodpecker	-	-	-	1	-	-	-	-	R*
Northern Flicker	3	2	1	1	-	-	-	-	R*
Black Phoebe	3	-	2	3	2	5	3	3	R*
Ash-thr.Flycatcher	2	-	7	4	7	6	4	3	S*
Western Kingbird	-	-	-	-	2	2	-	1	S*
Violet-gr.Swallow	-	-	-	-	1	-	-	-	S*
N.Ro.-w.Swallow	9	20	25	20	24	8	8	-	S*
Cliff Swallow	100	100	100	100	128	206	164	150	S*
Barn Swallow	-	-	-	-	2	-	-	1	S*
Scrub Jay	13	9	10	20	9	8	11	9	R*
American Crow	2	3	3	4	7	6	16	8	R*
Common Raven	12	9	1	4	6	2	14	12	R*
Plain Titmouse	3	1	-	3	7	-	1	2	R*
Bushtit	22	7	23	18	32	8	50	18	R*
Bewick's Wren	37	36	40	32	31	15	10	6	R*
House Wren	2	23	6	4	3	-	-	-	R*
Ruby cr. Kinglet	8	-	-	-	-	-	-	-	W
Western Bluebird	-	-	-	-	-	-	2	3	R*
Swainson's Thrush	-	-	-	2	-	-	-	-	M
Hermit Thrush	3	-	-	-	-	-	-	-	M
American Robin	6	2	-	1	-	-	-	-	R*
N. Mockingbird	-	-	-	1	-	-	1	-	R*
Wrentit	4	4	2	2	-	2	2	2	R*
Calif. Thrasher	1	8	7	2	4	3	1	-	R*

Table 5 (cont.). Bird Observations along the Santa Clara River System, 1999; Castaic Creek from Old Road west to Rte. 126.

Species	date: 4/13	4/22	5/12	5/25	6/10	6/23	7/7	7/28	status
Phainopepla	-	-	-	-	5	1	2	3	S*
European Starling	8	16	5	20	3	8	-	4	R*
Warbling Vireo	-	-	-	2	-	-	-	-	M
Orange-cr. Warbler	7	-	2	-	-	-	-	-	M
Yellow Warbler	1	1	11	4	9	2	1	-	S*
Yellow-r. Warbler	95	-	-	-	-	-	-	-	W, M
Bl-th. Grey Warbler	3	-	-	-	-	-	-	-	M
Com. Yellowthroat	28	32	9	6	9	13	5	6	R*
Wilson's Warbler	2	1	4	1	-	-	-	-	M
Yellow-br. Chat	-	-	-	1	-	-	1	-	S*
Western Tanager	-	-	4	-	-	-	-	-	M
Bl.-head. Grosbeak	2	3	18	9	11	7	7	2	S*
Blue Grosbeak	-	-	2	-	-	-	-	-	S*
Spotted Towhee	32	2	22	16	22	11	9	4	R*
California Towhee	18	33	33	26	18	16	21	18	R*
Song Sparrow	97	53	43	30	36	31	15	7	R*
White-cr. Sparrow	61	5	-	-	-	-	-	-	W, M
Red-w. Blackbird	33	27	30	55	15	6	17	5	S*
Tricol. Blackbird	2	-	-	-	-	-	-	-	W
Brewer's Blackb.	-	2	3	2	-	-	-	-	R*
Brown-h. Cowbird	10	40	8	23	8	4	2	3	S*
Hooded Oriole	1	1	-	-	1	-	-	-	S*
Bullock's Oriole	2	6	7	1	6	3	2	-	S*
House Finch	28	14	8	10	4	6	12	18	R*
Lesser Goldfinch	18	7	2	7	4	2	1	2	R*
House Sparrow	-	2	-	2	2	-	-	3	R*

Total Species: 54 41 41 47 40 36 41 36

Total Species on all visits: 74

Total Potential Breeding species: 57 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

Table 6. Bird Observations along the Santa Clara River System, 1999; San Francisquito Creek for 2 Miles above Main Channel.

Species	date: 5/27	6/17	Status
Red-tailed Hawk	3	3	R*
California Quail	38	28	R*
Killdeer	4	2	R*
Mourning Dove	14	10	R*
Greater Roadrunner	1	-	R*
Barn Owl	1	-	R*
Anna's Hummingbird	1	2	R*
Costa's Hummingbird	1	-	S*
Nuttall's Woodpecker	6	8	R*
Black Phoebe	4	2	R*
Say's Phoebe	1	-	R*
Ash-thr. Flycatcher	2	3	S*
Western Kingbird	3	2	S*
N. Rough-w. Swallow	-	2	S*
Cliff Swallow	8	6	S*
Scrub Jay	8	9	R*
American Crow	-	4	R*
Common Raven	12	6	R*
Plain Titmouse	-	2	R*
Bushtit	2	2	R*
Bewick's Wren	12	13	R*
House Wren	-	1	R*
N. Mockingbird	-	1	R*
Calif. Thrasher	1	1	R*
Phainopepla	8	16	S*
European Starling	5	8	R*
Yellow Warbler	2	-	S*
Common Yellowthroat	2	5	R*
Yellow-br. Chat	1	-	S*
Bl.-headed Grosbeak	11	3	S*
Blue Grosbeak	1	5	S*
Spotted Towhee	5	12	R*
California Towhee	14	10	R*
Song Sparrow	11	6	R*
Red-w. Blackbird	3	2	S*
Brown-headed Cowbird	13	6	S*
Bullock's Oriole	7	8	S*
House Finch	16	18	R*
Lesser Goldfinch	20	10	R*
Lawrence's Goldfinch	1	-	R*

Total Species: 35 33

Total Species on all visits: 40

Total Potential Breeding species: 40 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

Table 7. Bird Observations along the Santa Clara River System,  
1999; South Fork from Rte. 126 to McBean Parkway.

species	date:	5/27	6/17	status
Red-shouldered Hawk	-	1		R*
Red-tailed Hawk	1	-		R*
California Quail	4	5		R*
Killdeer	1	-		R*
Mourning Dove	24	10		R*
Black-ch. Hummingbird	-	1		S*
Anna's Hummingbird	2	7		R*
Costa's Hummingbird	1	-		S*
Nuttall's Woodpecker	1	-		R*
Hairy Woodpecker	-	1		R*
Northern Flicker	1	-		R*
Western Wood Pewee	1	-		M
Black Phoebe	-	1		R*
Ash-thr. Flycatcher	5	2		S*
Western Kingbird	6	-		S*
N. Rough-w. Swallow	5	6		S*
Cliff Swallow	4	28		S*
Barn Swallow	1	2		S*
Scrub Jay	2	7		R*
American Crow	4	-		R*
Common Raven	17	13		R*
Plain Titmouse	-	7		R*
Bushtit	-	11		R*
Bewick's Wren	12	15		R*
Western Bluebird	1	-		R*
N. Mockingbird	2	1		R*
Wrentit	-	1		R*
Calif. Thrasher	2	6		R*
European Starling	8	-		R*
Yellow Warbler	2	2		S*
Common Yellowthroat	-	5		R*
Wilson's Warbler	2	-		M
Spotted Towhee	1	3		R*
California Towhee	10	8		R*
Song Sparrow	4	14		R*
Red-w. Blackbird	-	60		S*
Brewer's Blackbird	-	1		R*
Brown-headed Cowbird	2	4		S*
Bullock's Oriole	2	-		S*
House Finch	17	23		R*
Lesser Goldfinch	3	4		R*
House Sparrow	-	6		R*

Total Species: 31 30

Total Species on all visits: 42

Total Potential Breeding species: 40 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only



Table 8. Bird Observations along the Santa Clara River System,  
1999: South Fork from Newhall Creek to Rte. 126.

Species	date: 5/27	6/17	status
Red-tailed Hawk	1	-	R*
American Kestrel	-	4	R*
California Quail	14	12	R*
Killdeer	4	2	R*
Domestic Pigeon	-	5	R*
Mourning Dove	18	33	R*
Black-ch. Hummingbird	5	2	S*
Anna's Hummingbird	7	9	R*
Nuttall's Woodpecker	2	4	R*
Downy Woodpecker	-	1	R*
Willow Flycatcher	-	1	M
Black Phoebe	2	-	R*
Ash-thr. Flycatcher	4	-	S*
Western Kingbird	3	10	S*
N. Rough-w. Swallow	4	3	S*
Scrub Jay	10	3	R*
American Crow	10	-	R*
Common Raven	5	6	R*
Bushtit	23	27	R*
Bewick's Wren	18	11	R*
N. Mockingbird	2	4	R*
Cal. Thrasher	2	6	R*
Phainopepla	1	-	S*
European Starling	46	-	R*
Warbling Vireo	-	1	M
Yellow Warbler	6	-	S*
Wilson's Warbler	4	-	M
Western Tanager	7	-	M
Bl.-headed Grosbeak	1	-	S*
Blue Grosbeak	1	2	S*
Spotted Towhee	6	1	R*
California Towhee	11	11	R*
Song Sparrow	13	4	R*
Red-w. Blackbird	1	-	S*
Brewer's Blackbird	17	6	R*
Brown-headed Cowbird	3	5	S*
Bullock's Oriole	7	7	S*
House Finch	41	38	R*
Lesser Goldfinch	13	3	R*
House Sparrow	16	8	R*
Total Species:	35	29	

Total Species on all visits: 40

Total Potential Breeding species: 36 (marked with \*)

Status: M- Migrant; R- Resident; S- Summer Only; W- Winter Only

7/21/1999

## Willow Flycatcher Survey and Detection Form (rev. 4/97)

Site Name SANTA CLARA RIVER - E CASTAIC Cr. Was site surveyed in previous year? Yes ☐ No ☐  
 (yes, what site name was used?) \_\_\_\_\_

County LOS ANGELES State CA USGS Quad Name NEWNALL

Is copy of USGS map marked with survey area and WIFL sightings attached (as required)? ☐ Yes ☐ No

Coordinates T 4 N R 16, 17, W Lat Long / Township-Range / UTM (circle one)  
 Elevation 1250 - 1000 FT feet / meters (circle one)

**\*\* Fill in additional site information on back of this page \*\***

Survey # Observer(s)	Date (m/d/y) Survey time	Number of WIFLs Found	Estimated Number of Pairs	Estimated Number of Territories	Notes? Y or N	Cowbirds Detected? Y or N	Comments about this survey (e.g., evidence of pairs or breeding, number of nests, nest contents, potential threats, cowbirds, abundance, presence of livestock, etc.)
1 J SUGDEN D GUTHRIE	date 6/9 start 5:30 stop 10 AM total hrs 4.5	2	0	0	N	Y	
2 J. SUGDEN	date 6/17 start 530 stop 10 AM total hrs 4.5	1	0	0	N	Y	
3 J. SUGDEN D GUTHRIE	date 6/22 start 530 stop 10 AM total hrs 4.5	0	0	0	N	Y	
J SUGDEN D GUTHRIE	date 7/6 start 530 stop 10 total hrs 4.5	0	0	0	N	Y	
	date start stop total hrs						
Overall Summary							Were any WIFLs color-banded? Yes <input type="checkbox"/> No <input type="checkbox"/>  If yes, report color combination(s) in the comments section on back of form
Total survey hrs <u>18</u>							

Name of Reporting Individual D GUTHRIE Date Report Completed 7/26/99

Submit the original of this form. Retain a copy for your records.

Fill in the following information completely. Submit original form. Return copy for you.

Name of Reporting Individual DANIEL A GUTHRIE Phone # 909 607 2836

Affiliation CLAREMONT MCKENNA COLLEGE Email DGUTHRIE@JSD, CLAREMONT, CA

Site Name SANTA CLARA R E R CASTACK CR.

Did you verify that this site name is consistent with that used in previous years? Yes No (circle one)

Management Authority for Survey Area (circle one): Federal Municipal/County State Tribal Private

Name of Management Entity or Owner (e.g., Tonio National Forest) NEW HALL LAND

Length of area surveyed: 11.6 MI (specify units, e.g., miles = mi, kilometers = km, meters = m)

Did you survey the same general area during each visit to this site this year? Yes / No If no, summarize in comments below.  
If site was surveyed last year, did you survey the same general area this year? Yes / No If no, summarize in comments below.

Vegetation Characteristics: Overall, are the species in tree/shrub layer at this site comprised predominantly of (check one):

- ☐ Native broadleaf plants (entirely or almost entirely) ☒ Mixed native and exotic plants (mostly native)  
☐ Mixed native and exotic plants (mostly exotic) ☐ Exogenintroduced plants (entirely or almost entirely)

Identify the 2-3 predominant tree/shrub species: BACCHARIS, WILLOW, COTTON WOOD

Average height of canopy: 30 FT (specify units)

Was surface water or saturated soil present at or adjacent to sites? Yes (circle one) NO (circle one)

Distance from the site to surface water or saturated soil: 20 FT (specify units)

Did hydrological conditions change significantly among visits (did the site flood or dry out)? Yes No (circle one)

If yes, describe in comments section below.

Remember to attach a xerox copy of a USGS quad/topographical map (REQUIRED) of the survey area, noting the survey site and location of WIFL detections. You may also include a sketch or aerial photograph showing details of site location, patch shape, survey route in relation to patch, and location of any willow flycatchers or willow flycatcher nests detected. Such sketches or photographs are welcomed, but DO NOT substitute for the required USGS quad map.

Comments (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## CALIFORNIA AND PACIFIC OFFICE

*protecting and restoring natural ecosystems and imperiled species through  
science, education, policy, and environmental law*

BY ELECTRONIC MAIL

July 12, 2005

Ronald J. Kosinski, Deputy Project Director  
Division of Environmental Planning  
Department of Transportation  
100 S. Main Street (Mail Stop 16A)  
Los Angeles, CA 90012-3036  
Attn: Chris Blumberg (chris.benz-blumberg@dot.ca.gov)

Re: Draft Initial Study/Environmental Assessment, SR 126/Commerce Center Drive  
Interchange Project

Dear Mr. Kosinski

These comments on the above-referenced project are submitted on behalf of the Center for Biological Diversity (the "Center"). The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats in the Western Hemisphere through science, policy, and environmental law. The Center has over 13,000 members throughout California and the western United States, including in northern Los Angeles and Ventura County in the vicinity of the proposed project.

The project will involve both short-term construction impacts and long-term operational impacts to riparian habitat that includes designated critical habitat for the least Bell's vireo. Accordingly, an EIR/EIS must be prepared for the project. It is not sufficient merely to consider whether the project is likely to jeopardize the continued existence of the least Bell's vireo. The project may have a significant adverse impact under CEQA and NEPA even if it does not meet the jeopardy standard. Here, it is probable that the project will result in a significant impact to the least Bell's vireo because it may adversely modify the vireo's critical habitat and because it may impair the vireo's recovery.

CEQA and NEPA provide several relevant factors for considering the significance of the project's environmental impacts. According to CEQA, a lead agency "shall find that a project may have a significant effect on the environment and thereby require an EIR" if the project "has the potential to ... substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community,

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John Buse, Staff Attorney  
5656 S. DORCHESTER AVE. #3, CHICAGO, IL 60637  
TEL: (312) 237-1443 • FAX: (501) 633-8375  
Email: [jbuse@biologicaldiversity.org](mailto:jbuse@biologicaldiversity.org) • [www.biologicaldiversity.org](http://www.biologicaldiversity.org)

### Response to Comment XII-1

The effect of a project on the "recovery" of a species is not a topical area covered by the Natural Environment Study (NES) Report. The impacts identified within the proposed project have been determined to be addressed in the Natural River Management Plan (NRMP November 1998) as well as the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the 404 Permit/1603 Streambed Alteration Agreement Permit approved by the United States Army Corps of Engineers (USACOE) and United States Fish and Wildlife Service (USFWS) (August 1998). The mitigation measures identified within the NRMP and EIS/EIR are incorporated by reference in this document and will be adhered to, therefore, an EIR is not required for this project.

The Draft IS/EA provides an analysis for potential project impacts on the least Bell's vireo and incorporated by reference the mitigation measures identified in the NRMP and EIS/EIR identified above. The loss of riparian habitat is discussed in the Draft IS/EA in Section 3.4.3. These impacts were found to be negative and required mitigation.

This project has been approved as a result of coordination between Caltrans, ACOE, CDFG, and USFWS. Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP.

### Response to Comment XII-2

Comment noted.

The scope of this project was concurred with as a result of coordination between Caltrans, ACOE, CDFG, and USFWS. Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP.

**XII-1**

**XII-2**

Draft Initial Study/Envtl Assessment, SR 126/Commerce Center Drive Interchange Project  
July 12, 2005  
Page 2

[or] reduce the number or restrict the range of an endangered, rare or threatened species.” CEQA Guidelines § 15065(a). In addition, the lead agency must find that the project may have a significant effect on the environment and thereby require an EIR if the project “has possible environmental effects which are individually limited but cumulatively considerable.” CEQA Guidelines 15065(c).

**XII-3**

Here, the direct and indirect impacts of the project have the potential to substantially reduce or diminish the functional value of the least Bell’s vireo’s riparian habitat, regardless of whether the project will or will not jeopardize the continued existence of the species. As a result, Caltrans must also consider whether the project may eliminate the local vireo population or cause it to drop below self-sustaining levels. An EIR/EIS must also be prepared to evaluate the project’s potential to reduce the number or restrict the range of the vireo. Finally, an EIR/EIS must be prepared to analyze the cumulative loss of least Bell’s vireo habitat elsewhere in the region.

**XII-4**

According to the Council on Environmental Quality’s NEPA regulations, several relevant factors indicate that the project may significantly affect the quality of the human environment and that an EIR/EIS should therefore be prepared. Foremost among these factors in this instance is “[t]he degree to which the action may adversely affect an endangered or threatened species *or its habitat that has been determined to be critical* under the Endangered Species Act of 1973.” 40 C.F.R. § 1508.27(b)(9) (emphasis added). The project occurs within designated critical habitat for the least Bell’s vireo, will require modification of this habitat, and therefore has a high probability of adversely affecting designated vireo critical habitat due to direct habitat destruction, construction impacts, operational impacts, fragmentation, increased human disturbance, and cumulative loss.

**XII-5**

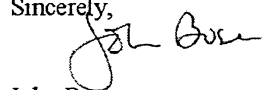
Other relevant factors include “[u]nique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas” and “[t]he degree to which the effects on the quality of the human environment are likely to be highly controversial.” 40 C.F.R. §§ 1508.27(b)(3) and (4). This project is located on a portion of one of southern California’s last free-flowing rivers that includes sensitive riparian and wetland habitat. In addition, there has been considerable controversy regarding the magnitude of the project’s likely environmental consequences.

**XII-6**

Caltrans must also consider the project’s potential to impair or impede recovery of the least Bell’s vireo. Critical habitat serves an essential role in conserving species under the Endangered Species Act. Species “conservation” includes recovery. 16 U.S.C. §§ 1532(3) and (5). The EIR/EIS must consider the project’s potential impacts on the vireo’s conservation and recovery that may result from destroying, damaging, or modifying its critical habitat.

Thank you for your consideration of these comments. Please provide me at the letterhead address with any notices or determinations regarding this project.

Sincerely,



John Buse  
Center for Biological Diversity

#### Response to Comment XII-3

The Draft IS/EA and NES acknowledged that the proposed project would result in the loss of 10.17 acres (4.12 hectares) of riparian habitat for the least Bell’s vireo. This species was not known to nest in the Santa Clara River during the 1999 breeding season. However, the least Bell’s vireo is known to have nested there in 1998. The proposed project would not result in the loss of potential habitat for this species; therefore, the proposed project is not likely to adversely affect this species. In addition, noise from construction could discourage or disrupt nesting by this species in the vicinity, should it occur. It is not likely that that proposed project would “substantially reduce” habitat for the least Bell’s vireo. The USFWS has designated 38,000 acres of critical habitat for this species. The proposed project will impact 10.17 acres of riparian habitat which represents approximately 0.03 percent of the 38,000 acres of designated critical habitat. This fraction of a percent does not represent a “substantial” reduction in potential habitat for the least Bell’s vireo. It is therefore unlikely that the proposed project would “eliminate a local population,” “cause it to drop below self-sustaining levels,” nor substantially “reduce the number or restrict the range” of the least Bell’s vireo due to the lack of repeated nesting occurrences in the project area. To mainstream the 404/1603 permitting process for the Santa Clara River and San Francisquito Creek, the ACOE and CDFG met with the major landowner in the area, including the Valencia Company, to prepare a plan that would address cumulative impacts on these drainages over the next 20 years. The NRMP developed standard mitigation measures for all work that would occur in these drainages. Any project that is consistent with the mitigation measures in the NRMP can operate under the 404/1603 permit. The proposed project was anticipated and addresses in the NRMP and the associated permits from the ACOE and CDFG. The potential impacts to the least Bell’s vireo were addressed in the NRMP and associated environmental documentation. Therefore, the cumulative impacts to the loss of potential habitat for the least Bell’s vireo have been adequately addressed for the proposed project.

Please refer to IS/EA Section 3.9.

This project has been approved as a result of coordination between Caltrans, ACOE, CDFG, and USFWS. Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP.

#### Response to Comment XII-4

The key words in the NEPA regulation cited are “degree to which the action may adversely affect.” As such, the magnitude of the effect must be considered. As discussed previously, the proposed project will impact 10.17 acres of riparian habitat which represents approximately 0.03 percent of the 38,000 acres of designated critical habitat. This fraction of a percent does not represent a substantial reduction in potential habitat for the least Bell’s vireo and is compliant with findings from the USFWS and the NRMP.

#### Response to Comment XII-5

Regarding the “controversy” of the proposed project, the proposed project was anticipated and addressed in the NRMP and the associated permits from the ACOE and CDFG. To mainstream the 404/1603 permitting process for the Santa Clara River and San Francisquito Creek, the ACOE and CDFG met with the major landowner in the area, including the Valencia Company, to write a plan that would address cumulative impacts on these drainages for the next 20 years. The NRMP was written to develop standard mitigation measures for all work that would occur in these drainages. Any project that is consistent with the mitigation measures in the NRMP can operate under the 404/1603 permit. The adherence of a project applicant to approved regulatory standards and permit conditions cannot be considered controversial, especially when those standards and permits conditions are sanctioned by the resource agencies that are charged with providing the required level of protection to the environmental resources under question.

#### Response to Comment XII-6

This project has been approved as a result of coordination between Caltrans, ACOE, CDFG, and USFWS. Please refer to the USFWS letter dated 3/18/05 (Appendix A in the IS/EA) for further clarification on the project approval within the NRMP.

August 26, 2005

California Department of Transportation  
Attn: Chris Benz-Blumberg, Environmental Planner  
Division of Environmental Planning, District 7 – Los Angeles  
120 South Spring St.  
Los Angeles, CA 90012

Re: SR 126/Commerce Center Dr. Interchange Project

XIII-1

As a fellow Santa Clarita business person, I am appealing to you on behalf of my independently owned and operated gas station and bulk plant on Henry Mayo Dr., Schwartz Oil Company, Inc. I have just become aware of plans to abandon the existing SR 126 on- and off-ramps and build new ramps at Commerce Center Drive. I understand that a deadline has passed to dispute these intended plans, however to my knowledge, no notification has been sent to the effected businesses. I only became aware of the situation when I inquired why surveying was taking place in front of my facility.

These plans, as they exist, would be a severe detriment to my place of business. Gas facilities as a whole operate primarily on a visual basis. Being next to SR 126, my business is no exception.

The existing on- and off-ramps to Henry Mayo Dr. are crucial to my business. According to the new plans, by the time customers see my station they will be passing it on the highway with no realistic opportunity to pull off and purchase fuel.

We have experienced a sharp decline in business with the recent repeated closures of the Henry Mayo Dr. on- and off-ramps during the new bridge construction where SR 126 passes over The Old Road. We have placated our customers until now by explaining that the closures are only temporary. The permanency of such a closure would be a financial travesty for my business.

XIII-2

The potential closure of Henry Mayo Dr. during construction on the new Commerce Center Dr. on- and off-ramps is also in your plans. Closing Henry Mayo Dr. for any period of time would shut down our business, which relies on access to and from our facility for customers to purchase fuel as well as for our bulk trucks to load and unload during deliveries.

XIII-3

Your proposal states that business along Henry Mayo Dr. would have no direct impact due to your plans. I would be interested to see the economic studies you must have done to be able to make such a statement. I implore you to take another look at my business.

Please call me as soon as possible to set up a meeting to discuss the effects of the proposed Commerce Center Drive Interchange Project. I am extremely concerned about the financial future of my business, which has operated out of this location for almost 40 years.

I look forward to hearing from you.

Sincerely,

Trudy Emeterio  
Schwartz Oil Company, Inc.

Response to Comment XIII-1

Public notice of this project was provided during both the scoping process and the Public Hearing process. During scoping, this project was initially advertised to the public as a Notice of Environmental Studies through the local newspapers and letters to the regional agencies and reviewing agencies. This notice was put in the Los Angeles Times, La Opinion, and The Signal on October 21<sup>st</sup>, 2003. Approximately 74 letters were submitted to regional agencies and reviewing agencies concerning the Notice of Intent/Initiation of Study for the project. Once the technical studies were completed and a draft of the IS/EA document had been approved by Caltrans and FHWA, the public hearing phase began and newspaper ads were published both 30 days and 7 days before in the same three local newspapers advertising a Notice of Intent to Adopt a Negative Declaration IS/EA for the project on June 16, 2005. A second letter was submitted to the regional agencies, reviewing agencies and elected officials with the same information and a Public Hearing was held on June 23, 2005. A detailed Summary of Public Involvement Process is described in Chapter 6 of the IS/EA. Also, please refer to Appendix E of the IS/EA, which shows when the newspaper ads were published.

Response to Comment XIII-2

Caltrans has already responded to this comment via e-mail on October 14, 2005.

Please refer to Page G-102 for a copy of this email.

Access along Henry Mayo Drive is expected to be maintained throughout the entire construction process. Signs will be placed within the project area identifying that businesses are open during construction. Please see Appendix C for further clarification regarding measures to minimize harm.

Refer to section 3.4.1 of the IS/EA.

**Response to Comment XIII-3**

In general, economic viability within this area is anticipated to increase within the project area due to the approved Valencia Commerce Center project (a 1.2 million square meter (12 million square foot employment center) and other planned development as part of the Newhall Ranch Specific Plan. The direct impact to the businesses along Henry Mayo Drive is the temporary construction impact that would affect access to the businesses themselves. At no time during construction will Henry Mayo Drive be closed to traffic in either direction. Economic impact for any one business was not required to be conducted as part of this type of environmental analysis. However, a more focused assessment for Schwartz Oil Company was conducted to address the comment. Based on a review of the current and future traffic patterns within the area, it is expected that the impacts to Schwartz Oil Company will generally be positive, as described below:

1. Upon closure of the EB hook ramps, Schwartz Oil will lose indirect visibility for the approximately 40 to 60 vehicles that exit at the off ramp during the peak hour of the day.
2. Approximately 150 vehicles using the EB on-ramp will be diverted to use the newly constructed on-ramp at Commerce Center Drive since most of these vehicles come from the east, there will be new trips passing by Schwartz Oil to get to the ramps at Commerce Center Drive.
3. Similarly, approximately 250 peak hour (120 AM and 130 PM) trips using the WB SR-126 off ramp at Commerce Center Drive will turn left and use Henry Mayo Drive to get to their final destination and will pass directly in front of Schwartz Oil.
4. Future traffic along Henry Mayo Drive is anticipated to shift from using the existing hook ramps to the newly proposed ramps located at Commerce Center Drive. As a result, it is anticipated that the daily drive by visibility of vehicles passing in front of Schwartz Oil will triple by the year 2025.

Please refer to Section 3.15.3 of the IS/EA.

-----Original Message-----

From: Chris Benz-Blumberg [mailto:chris\_benz-blumberg@dot.ca.gov]

Sent: Friday, October 14, 2005 7:30 AM

To: Ginny

Cc: Ron Kosinski; Greg Damico; Carlos Montez; de la Pena, Melissa/LAC; Catherine.Kennedy@asm.ca.gov; scott.wilk@mail.house.gov; Phillips, Mike/SCO; mjones@lacbos.org; michelle.luse@sen.ca.gov

Subject: Re: SR 126 offramp closure at Henry Mayo Dr. -- new option

Good Morning Ms. Emeterio.

Our Caltrans Design staff has the following response to your new proposal. Once again we thank you for your continued involvement on this ongoing Caltrans oversight project. Your comments and our additional responses will be incorporated into the final environmental document that is being prepared. Once this has been completed all organizations and individuals that commented on the project would receive a copy of the environmental document. If you have any additional questions please feel free to give us a call. Thank you very much for your time.

In response to the suggestion that the eastbound Route 126 ramps at Henry Mayo Drive be left in place, the following information is offered.

The original planning concept for the SR-126/I-5 interchange construction called for removal of both the eastbound and westbound ramps on Route 126 in Castaic. In consultation with Los Angeles County regarding interim traffic conditions between the completion of construction of the SR-126/I-5 interchange and the start of construction of the proposed Commerce Center Drive interchange, a compromise was reached to leave the eastbound ramps in place temporarily. Modification of the traffic pattern to permit only access to the southbound I-5 from the eastbound on-ramp was necessary in order to preclude any weaving conflicts at this location for this interim condition.

Construction of the proposed Commerce Center Drive interchange will result in increases in the volume of traffic, addition of more lanes to Route 126, and more destination choices (with the future extension of Newhall Ranch Road) to the east. The existing eastbound ramps must be closed as part of the Commerce Center Drive project in order to maintain proper safety and operational efficiency of traffic traversing this portion of the highway facility.

Chris Benz-Blumberg  
Environmental Planner  
213-897-0674  
Caltrans-District 7  
Division of Environmental Planning  
100 South Main Street  
Los Angeles, CA 90012 MS16A



**Heffernan & Boortz**  
 A Partnership Composed of Law Corporations  
 26 Corporate Plaza Drive - Suite 100  
 Newport Beach, California 92660  
 Telephone (949) 640-4300  
 Facsimile (949) 721-1140  
 e-mail [dboortz@hblaw.net](mailto:dboortz@hblaw.net)

November 4, 2005

Ronald J. Kosinski, Deputy District Director  
 Division of Environmental Planning  
 Department of Transportation  
 100 S. Main Street (Mail Stop 16A)  
 Los Angeles, CA 90012-3606

Attn: Mr. Chris Benz-Blumberg

Re: Draft Initial Study/Environmental Assessment for SR-126/Commerce Drive  
 Interchange Project 07-LA-126-KP R6.8-T9.2 (PM R4.2-R5.7) EA: 187220 SCH:  
 2003101127 Dated May 2005 (the "Environmental Assessment")

Dear Mr. Benz-Blumberg:

I just received a copy of the October 28, 2005 letter from Mr. Kosinski to my client, Ira Robb, stating that you have already obtained comments on my client's behalf from Carl Moseley of Sikand Engineering with regard to the proposed improvements in the SR-126/Commerce Drive Interchange Project. Ironically, we have been awaiting the input just received on Tuesday from the Sikand firm to complete this letter and were not aware of your other contacts or of the comments you received.

In any event, and as you requested in our meeting with you and Mr. Damica on September 8, 2005, I am forwarding for your review and consideration the following comments and concerns of my client regarding the preferred alternative, or "Build" plan, and other matters described in the above-referenced Environmental Assessment:

**XIV-1**

1. Loss of Tenant Spaces. Our engineers have calculated that there will be at least 31 spaces lost at the east end of the Travel Village property for the cul-de-sac and improvements to Henry Mayo drive at a resulting present and substantial economic cost to Travel Village. The loss of that area will also have a significant future cost as it is the prime area for the build-out of Travel Village from its present configuration with 379 spaces in place to its currently permitted maximum of 500 spaces.

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 09/29/05

- Heffernan & Boortz -  
 A Partnership Composed of Law Corporations

#### Response to Comment XIV-1

The total number of tenant spaces available at the Travel Village will be changed from 303 to 379 throughout the document.

As recommended by Travel Village and their consultant (Sikand), the original design lay-out was altered to include a new entrance/intersection along SR-126 just west of the original. To meet up with the main entrance of the Travel Village, a new access roadway was added that runs parallel and next to SR-126. The addition of this new intersection and access road will result in the loss of approximately 5-10 tenant spaces.

As recommended by Sikand, the distance between the cul-de-sac and the proposed eastbound off-ramp to Henry Mayo Drive was designed at the minimum 30 meter standard. An alternative design, reducing the spacing to 15 meters was also presented to Caltrans Design for review, but rejected due to insufficient basis for introducing an unsafe future condition. The new design proposes to move the cul-de-sac further to the south resulting in the loss of only five spaces versus the original projection of 15. It also appears that some of the lost spaces could be recovered with a restriping project to revise the current layout.

Emergency access from the cul-de-sac on Henry Mayo will now be provided through the proposed bike/pedestrian trail instead of a parallel frontage road. The trail will be designed to support emergency vehicles, and will be 25' wide from the cul-de-sac to the existing Travel Village entrance. Actual loss of tenant spaces at the Travel Village will be determined as part of the final design.

Mr. Ronald J. Kosinski, Deputy Director  
November 4, 2005  
Page 2

**XIV-2** 2. Safety and Ease of Ingress/Egress. We need to be assured that all turning radiuses are adequate for usage by recreational vehicles and will continue to permit those vehicles to access Travel Village safely and without increased difficulty. These recreational vehicles may be up to 50± feet in length and typically include a towed vehicle or trailer. We asked the Sikand firm to review the minimum turning radius criteria under these circumstances and understand that, using Figure 407A of the State Highway Design Manual in their studies, they concluded a need for a curb return radius of approximately 40 feet.

**XIV-3** 3. Increased Noise and Light. We are concerned that the sound/light attenuation walls be adequately designed to minimize the impact on Travel Village tenants and guests, particularly at those points within Travel Village where the proposed routing of SR-126 will result in excessive levels of sound and light. Unfortunately, the need for adequately designed sound/light attenuation walls is counterproductive to the satisfactory resolution of the visibility issue discussed below.

**XIV-4** 4. Decreased Visibility/Signage. Currently, Travel Village enjoys virtually unobstructed visibility and direct access for both east and west bound traffic on SR-126. This will not be the case with the proposed improvements to SR-126 (including the sound/light attenuation walls) and consequently having adequate and easily understood signage for access to Travel Village is critical.

**XIV-5** 5. Need for Permanent Secondary Access. While the proposed public cul-de-sac and extension of Henry Mayo Drive can provide a secondary access to Travel Village for the fire department and utility connections, the street should be constructed to it's ultimate width now to accommodate the build-out and/or future redevelopment of the Travel Village property.

**XIV-6** 6. Bank Stabilization. It is not clear in the Environmental Assessment whether the bank stabilization work that must be done to accommodate the Commerce Center interchange will result in the loss of additional area (both existing and future space sites) from the Travel Village property.

Since our meeting, we have had the opportunity to confer with representatives of Newhall Land and Farming with regard to their alternative proposal that would create a new main connection to SR-126 at the west end of Travel Village approximately 950 feet westerly of the existing access onto SR-126. Under this alternative proposal, tenants and visitors approaching Travel Village on SR-126 from the west would make a right turn off of a new de-acceleration lane onto a new access road that would immediately turn east and run along the northerly boundary line of Travel Village to its current main entrance. Tenants and visitors approaching Travel Village on SR-126 from the east would make a left turn across oncoming east-bound SR-126 traffic from a new left turn lane in west-bound SR-126 onto the new Travel Village access road and make the same immediate turn to the east to follow that access road to the main entrance.

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09/29/05

- Heffernan & Boortz -  
A Partnership Composed of Law Corporations

Response to Comment XIV-2

All turning radii exceed the 40 feet minimum suggested by the Sikand firm. The radii were checked using Caltrans Figure 407B of the State Highway Design Manual (HDM) in the analysis. The results of the analysis showed the need for a curb return radius of over 50 feet (18 meters). As per HDM Chapter 4 Section 404.3(2) for the Surface Transportation Assistance Act (STAA) "The minimum practical turning radius is 15 meters however, the 18 meter radius develops less swept width and may have an advantage." This distance is the minimum required to accommodate a semi-trailer wheel truck with a length of 68 feet (20 meters). Some adjustments were made at the intersection of SR 126 and the revised access location to better accommodate movement for all vehicles with a likelihood of using that roadway.

Response to Comment XIV-3

The Noise Study performed as part of the Environmental Document recommended the construction of a sound wall ranging in height between three meters (10 feet.) and 4.2 meters (14 feet) along the Travel Village property for a linear distance of 862.5 meters (2,830 feet). Therefore it will be proposed as part of the Final Project Report. The construction of these walls, and their associated impacts is an estimate only and are all subject to final design. While a noise barrier may be beneficial for the Valencia Travel Village for noise reasons, it would result in the business losing its visibility from SR 126. Therefore, all abatement measures, if meeting the FHWA/Caltrans noise abatement criteria and determined to be feasible, will be designed with the consent and cooperation of the owner(s) of the Valencia Travel Village.

If pertinent parameters change substantially during the final project design, the preliminary noise abatement/mitigation design may be changed or eliminated from the final project design. A final decision of the construction of the noise abatement/mitigation will be made upon completion of the project design.

Response to Comment XIV-4

As stated above, the proposed sound wall is a result of a noise analysis, which was conducted for the Travel Village property. Current signage will be reviewed during the next phase of the project and the Travel Village may develop proposals to Caltrans for additional signage including the freeway adoption signs. While a noise barrier may be beneficial for the Valencia Travel Village for noise reasons, it would result in the business losing its visibility from SR 126. Therefore, all abatement measures, if meeting the FHWA/Caltrans noise abatement criteria and determined to be feasible, will be designed with the consent and cooperation of the owner(s) of the Valencia Travel Village.

If pertinent parameters change substantially during the final project design, the preliminary noise abatement/mitigation design may be changed or eliminated from the final project design. A final decision of the construction of the noise abatement/mitigation will be made upon completion of the project design.

Response to Comment XIV-5

Ultimate construction is provided for as part of the PR/ED phase. Construction staging for particular design elements will be defined at that time, and the construction of the Henry Mayo Drive cul-de-sac may fall on a separate timeline.

Emergency access from the cul-de-sac on Henry Mayo will now be provided through the proposed bike/pedestrian trail instead of a parallel frontage road. The trail will be designed to support emergency vehicles, and will be 25' wide from the cul-de-sac to the existing Travel Village entrance.

Response to Comment XIV-6

Based on the most recent revisions to the design, the soil cement portion of the work has been considered as part of the improvements identified for the cul-de-sac. The improvements around the bank stabilization are not projected to result in any loss of tenant spaces to the Travel Village.

Final design of the soil cement is currently pending a hydrology study of the entire Santa Clara River including all future improvements along the SR 126 corridor and will be finalized in the PS&E phase of the project.

Mr. Ronald J. Kosinski, Deputy Director  
November 4, 2005  
Page 3

**XIV-7**

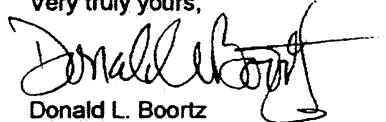
This alternative plan would decrease the amount of property that would otherwise be taken from the east end of the Travel Village property under the "Build" plan, which makes the alternative plan highly desirable from our client's perspective. It is currently estimated that only 3 existing spaces and 7 future spaces would be lost at this portion of the Travel Village property (assuming no additional property is needed due to bank stabilization). However, the new proposed access road running from the west along the northerly boundary of the Travel Village property must be a minimum width of 40' and is planned to include an additional bicycle and pedestrian trail that will be 20'± in width and an additional 12'-wide equestrian trail. Accommodating these improvements will unfortunately result in the loss of an additional minimum of 18 existing spaces and subject the remaining existing spaces in that area to increased noise, light and dust pollution making those existing spaces less desirable and marketable.

**XIV-8**

We have also been informed by our engineers that the turning radius at the connection point of the new access road to SR-126 would have to be increased to enable eastbound traffic to exit into the lane adjacent to the southerly shoulder of SR-126. See the minimum curb return radius information in comment 2 above. That will result in yet additional property and existing spaces (estimated by our engineers to be at least 4 additional existing spaces) being lost from Travel Village unless SR-126 is re-routed to accommodate the needed additional turning radius. Assuming re-routing SR-126 to provide the additional space is not feasible, the total "cost" of the alternative plan in terms of lost spaces will be a minimum of 25 existing spaces as opposed to the minimum of 31 spaces lost under the Build alternative.

It is our client's desire to accommodate the improvements to SR-126 to the extent reasonably possible. To that end, we look forward to receiving your comments and will appreciate any suggestions you may have as to how best to accommodate our concerns and lessen the negative impacts we foresee for Travel Village.

Very truly yours,



Donald L. Boortz

cc: Travel Village

F:\FILES\WP51\DLB\ROBB\CALTRANS LTR.DOC  
09/29/05

- Heffernan & Boortz -  
A Partnership Composed of Law Corporations

**Response to Comment XIV-7**

Ultimate construction is provided for as part of the PR/ED phase, and will be revisited during the design phase. Construction staging for particular design elements will be defined at that time, and the construction of the Henry Mayo Drive cul-de-sac and the access road from the Travel Village to the cul-de-sac may fall on a separate timeline.

**Response to Comment XIV-8**

All turning radii were checked and some adjustments were made at the intersection of SR 126 and the revised access location. Caltrans HDM and Autoturn software were both used to ensure that vehicles will have adequate turning space on all movements within the Travel Village area. Additional safety will be provided with a proposed signal installation on SR 126 at the new ingress/egress location.

## A G R E E M E N T

THIS AGREEMENT, made and entered into by and between THE NEWHALL LAND AND FARMING COMPANY, a California Limited Partnership, (hereinafter referred to as NEWHALL LAND), and the COUNTY OF LOS ANGELES, a political subdivision of the State of California, (hereinafter referred to as COUNTY).

## W I T N E S S E I H

WHEREAS, COUNTY in coordination with the State of California Department of Transportation (Caltrans) is proposing to construct interchange improvements at Commerce Center Drive and State Route 126, including the realignment of Henry Mayo Drive (which work is hereinafter referred to as PROJECT); and

WHEREAS, COUNTY will enter into a separate agreement with Caltrans for the design and construction of PROJECT; and

WHEREAS, NEWHALL LAND proposes to complete all preliminary studies and to prepare plans, specifications, and cost estimates for PROJECT (which work is hereinafter referred to as PRELIMINARY ENGINEERING); and

WHEREAS, NEWHALL LAND is willing to finance 1) the cost of PRELIMINARY ENGINEERING, currently estimated to be Three Million and 00/100 Dollars (\$3,000,000.00) and 2) COUNTY'S cost for the review and approval of the PRELIMINARY ENGINEERING submittals, UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION, currently estimated to be Eight Hundred Ten Thousand and 00/100 Dollars (\$810,000.00), as defined herein and indicated in Exhibit A attached hereto; and

WHEREAS, COUNTY proposes to review and approve the PRELIMINARY ENGINEERING submittals and perform UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION for PROJECT; and

WHEREAS, NEWHALL LAND is willing to grant rights of way currently under its control necessary for construction of PROJECT to COUNTY; and

WHEREAS, NEWHALL LAND owns and plans to develop land within the proposed Westside Bridge and Major Thoroughfare (B&T) Construction Fee District; and

WHEREAS, NEWHALL LAND desires to receive B&T fee credits in an amount equal to the sum of the actual cost of PRELIMINARY ENGINEERING, COUNTY'S cost for review and approval of PRELIMINARY ENGINEERING submittals, UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION, and the appraised value of NEWHALL LAND'S property contributions; and

WHEREAS, construction of said PROJECT will be the subject of a separate future agreement.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by NEWHALL LAND and COUNTY and the promises herein contained, it is hereby agreed as follows:

(1) DEFINITIONS:

- a. "PRELIMINARY ENGINEERING," as referred to in this agreement, shall consist of environmental documentation including investigation of potential hazardous waste sites and any remedial action necessary; design survey including existing topography, miscellaneous topography, preliminary topography for quantities, aerial photography, photographic mapping and survey notes; boundary survey to tie the PROJECT into the larger regional boundary and ongoing surrounding boundary and mapping projects including confirmation of record right of way, field survey to recover the controlling survey monuments, pre-construction ties, preparation of Corner Records, and preparation of a Record of Survey for existing right of way conditions and a Record of Survey for post construction right of way showing survey monumentation; right-of-way flagging; traffic index and geometric investigation; material report; geotechnical report; hydraulic analysis and hydrology report; identification of all rights of way including permit to enter and temporary construction easement areas necessary for construction of the project; preparation of preliminary study map and engineering calculation; perform research and boundary analysis; utility engineering except for the utility coordination as set forth in paragraph (1) b. below; preparation of Conditional Level of Map Revision and Level of Map Revision for the Federal Emergency Management Agency; preparation of County Floodway (ML) map reflecting revisions made to the existing ML map; preparation of plans, specifications, and cost estimates; and all other necessary work to prepare for advertising of PROJECT for construction bids.
- b. "UTILITY COORDINATION," as referred to in this agreement, shall consist of notifying affected utility companies of impending construction of the project and preparing the status of utility relocations element of the Right-of-Way Certifications.
- c. "SURVEY," as referred to in this agreement, shall consist of utility and construction easement flagging; in conformance with applicable Caltrans standards and as more fully indicated in the cooperative agreement between COUNTY and Caltrans for the PROJECT.

- d. "RIGHT-OF-WAY ACQUISITION," as referred to in this agreement, shall consist of investigation and preparation of search maps for right-of-way identification; property appraisals; title reports; legal descriptions; acquisition of any parcel of land and easements; including negotiations, condemnation activities, and escrow costs; clearing any improvements within right of way; obtaining permits to enter other property; incidental and litigation expenses and all other work necessary to acquire right of way for construction and maintenance of PROJECT.

(2) NEWHALL LAND AGREES:

- a. To grant all rights of way necessary for PROJECT on property presently owned by or under the control of NEWHALL LAND in the manner and form to be determined by COUNTY. NEWHALL LAND shall execute, in recordable form, any and all documents and/or deeds, in a form acceptable to COUNTY, at COUNTY'S sole discretion, to complete the legal transfer of said rights of way.
- b. To contract for, perform, and cause completion of the PRELIMINARY ENGINEERING for PROJECT.
- c. To retain the engineer of record, to answer design questions during contract bidding and construction, and to prepare any design plan revision required that results from actual field conditions encountered.
- d. To finance the cost of PRELIMINARY ENGINEERING, currently estimated to be Three Million and 00/100 Dollars (\$3,000,000.00).
- e. To finance the COUNTY'S cost for the review and approval of the PRELIMINARY ENGINEERING submittals, UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION, currently estimated to be Eight Hundred Ten Thousand and 00/100 Dollars (\$810,000.00).
- f. To finance the cost of compensation for all rights of way necessary for the construction of PROJECT.
- g. To deposit with COUNTY, within fourteen (14) calendar days following the execution of the AGREEMENT and upon demand by COUNTY, sufficient funds to finance COUNTY'S cost for review and approval of the PRELIMINARY ENGINEERING submittals, UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION, currently estimated to be Seven Hundred Ninety Thousand and 00/100 Dollars (\$790,000.00), in addition to NEWHALL LAND'S

previous deposit of Twenty Thousand and 00/100 Dollars (\$20,000.00) paid to COUNTY on March 23, 2006.

- h. To furnish COUNTY, within one hundred twenty (120) calendar days of COUNTY'S approval of plans, specifications and cost estimates for PROJECT, a final accounting of the actual cost of PRELIMINARY ENGINEERING including an itemization of actual payments to engineering consultants and an itemized accounting of all actual labor, equipment, material, indirect, and miscellaneous costs incurred in the completion of PRELIMINARY ENGINEERING.
- i. To furnish COUNTY, within one hundred twenty (120) calendar days of COUNTY'S approval of plans, specifications, and cost estimates for PROJECT, a certified appraisal of the value of property granted by NEWHALL LAND as necessary to construct PROJECT.
- j. NEWHALL LAND, at its sole expense, shall be responsible for all remediation necessary to bring the right-of-way property transferred to COUNTY and Caltrans under this AGREEMENT to a condition free of hazardous contamination in conformance with applicable Caltrans standards and as more fully indicated in the cooperative agreement between COUNTY and Caltrans for the PROJECT.
- k. NEWHALL LAND shall indemnify, release, defend, and hold harmless COUNTY, its officers, agents, employees and Board from and against any and all claims, liability and expenses, defense costs, and legal expenses (including attorney's and expert fees) of any kind whatsoever, including, without limitation, claims alleging personal injury or property damage relating to, arising out of or connected with any acts or omissions on the part of NEWHALL LAND, or any of its officers, directors, agents, employees, representatives, contractors or subcontractors, under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of NEWHALL LAND under this AGREEMENT.

(3) COUNTY AGREES:

- a. To review and, as deemed appropriate by COUNTY, approve all PRELIMINARY ENGINEERING submittals prepared by NEWHALL LAND.
- b. To perform UTILITY COORDINATION, SURVEY, and RIGHT OF WAY ACQUISITION.
- c. To furnish NEWHALL LAND, within one hundred twenty (120) calendar days after approval of plans, specifications, and cost

estimates for PROJECT, a final accounting of the actual cost for review and approval of all PRELIMINARY ENGINEERING submittals, UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION.

- d. To credit NEWHALL LAND, in the form of Westside B&T Construction Fee District credits, as deemed appropriate by COUNTY, in an amount equal to the sum of the actual cost of PRELIMINARY ENGINEERING, COUNTY'S cost for review and approval of PRELIMINARY ENGINEERING submittals, UTILITY COORDINATION, SURVEY, and RIGHT-OF-WAY ACQUISITION, and the appraised value of NEWHALL LAND'S property contributions.

(4) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. County shall vacate and convey to NEWHALL LAND the road easement resulting from the realignment of Henry Mayo Drive and the construction of the new ramps to and from State Route 126 as indicated in Exhibit B attached hereto, subject to approval by the California Transportation Commission. NEWHALL LAND agrees to convey to COUNTY real property owned by NEWHALL LAND to be used for PROJECT construction. In consideration for said exchange of property, NEWHALL LAND shall pay to COUNTY the amount by which the appraised value of COUNTY'S excess real property exceeds the appraised value of NEWHALL'S real property conveyed to COUNTY as appraised by COUNTY. Such conveyance and said payment, if applicable, shall occur prior to relieving the contractor of maintenance responsibility or December 2010, whichever is earlier.
- b. This AGREEMENT may only be amended or modified in writing as mutually agreed to by COUNTY and NEWHALL LAND.
- c. If at final accounting, or interim final accounting, the amount of NEWHALL LAND funds due to COUNTY exceeds NEWHALL LAND'S deposits, as set forth in Paragraph (2) g. above, NEWHALL LAND shall pay to COUNTY such additional amount upon demand. Said demand shall consist of a billing invoice prepared by COUNTY. Conversely, if the required NEWHALL LAND funds are less than said deposit, COUNTY shall refund the difference to NEWHALL LAND.
- d. NEWHALL LAND shall review the final accounting invoice prepared by COUNTY and report in writing any discrepancies to COUNTY within thirty (30) calendar days after the date of said invoice. Undisputed charges shall be paid by NEWHALL LAND to COUNTY within thirty (30) calendar days after the date of said invoice. COUNTY shall review all disputed charges and submit a written



justification detailing the basis for those charges within thirty (30) calendar days of receipt of NEWHALL LAND'S written report. NEWHALL LAND shall make payment of the previously disputed charges or submit justification for nonpayment within thirty (30) calendar days after the date of COUNTY'S written justification. If any disputed amounts remain following the above procedure, NEWHALL LAND shall immediately pay these to COUNTY, under protest, and may proceed to file any claim that may be appropriate.

- e. COUNTY, at any time, may at its sole discretion, designate an alternative payment mailing address and an alternative schedule for payment of NEWHALL LAND funds if applicable. NEWHALL LAND shall be notified of such changes by invoice.
- f. Any correspondence, communication, or contact concerning this agreement shall be directed to the following:

NEWHALL LAND:

Ms. Barbara Fortman  
The Newhall Land and Farming Company  
23823 Valencia Boulevard  
Valencia, CA 91355-2194

COUNTY:

Mr. Donald L. Wolfe  
Director of Public Works  
County of Los Angeles  
Department of Public Works  
P.O. Box 1460  
Alhambra, CA 91802-1406

- g. NEWHALL LAND shall not assign, transfer, convey or otherwise dispose of this AGREEMENT or its rights, title, or any interest therein, without COUNTY'S prior written consent.
- h. NEWHALL LAND is not an agent or employee of the COUNTY by virtue of this AGREEMENT.
- i. If any provisions of this AGREEMENT are for any reason adjudged to be unenforceable or invalid, it is the specific intent of both parties that the remainder shall subsist, be, and remain in full force and effect.
- j. This AGREEMENT shall be construed and interpreted under the laws of the State of California.

- [illegible]

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their representative officers, duly authorized by THE NEWHALL LAND AND FARMING COMPANY on \_\_\_\_\_, 2006, and by the COUNTY OF LOS ANGELES on \_\_\_\_\_, 2006.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Mayor, Los Angeles County

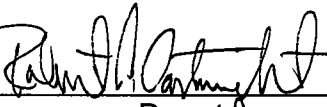
ATTEST:

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

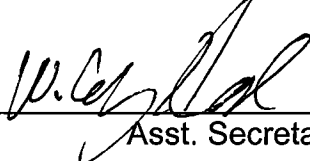
By  \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:


THE NEWHALL LAND AND  
FARMING COMPANY,  
(A California Limited Partnership)

By \_\_\_\_\_  
Newhall Land Attorney

A limited partnership

By  \_\_\_\_\_  
Asst. Secretary

By: NWHL GP LLC  
A Delaware limited liability company  
It's: General Partner

By  \_\_\_\_\_  
Owner

(Signatures must be notarized.)

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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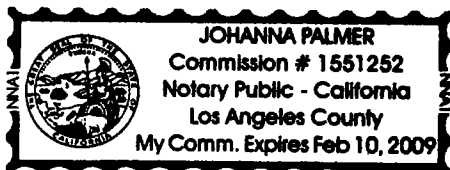
**COUNTY OF LOS ANGELES**


On November 8, 2006, before me, Johanna Palmer, Notary Public,  
personally appeared Steven D. Zimmer and W. Corey Harpole,

- ☒ personally known to me,
- ☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



  
Johanna Palmer  
Notary Public

## EXHIBIT A

### STATE ROUTE 126/COMMERCE CENTER DRIVE INTERCHANGE IMPROVEMENT COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS ESTIMATED REVIEW COSTS DESIGN PHASE

Division	Task	Cost Budgeted
AED	Review Landscaping plans	\$3,000
CONS	Tasks includes the following: a. Review plans, specifications and estimate (PS&E) b. Utility Coordination (utility status memo and utility certification) c. Prepare the contract administration portion of Special Provisions The estimated cost does not include advertisement, contract administration or inspection.	\$250,000
DES	Cursory review of County jurisdictional areas only. a. Impact of the roadway's geometric design and constructability b. Retaining wall c. Proposed drainage facilities and their connections to existing Los Angeles County Flood Control District facilities.	\$65,000
FMD	Review plans.	\$3,000
GMED	Review the following items: a. Materials Report b. Geotechnical Report c. Plans.	\$10,000
LDD	Review any drains that will be transferred to Flood Control District	*
M&PM	Perform the following task and activities for right of way acquisition excluding condemnation. a. Create parcel file and identify parcels to be acquired b. Review engineering calculations c. Prepare legal descriptions d. Mapping of 7 sheets of R/W map e. Review legal descriptions/ right of maps f. Prepare Title Reports g. Prepare Documents h. Technical Support i. Title Policies j. Preliminary study for zoning, market value data k. Photography and field investigation l. Preliminary appraisal report, calculate data, estimate damage and special benefits m. Final appraisal report n. Review document by Acquisition Section o. Review appraisal by Acquisition Section p. Negotiation including preparation of offer packages, follow up, meeting, payment and processing. q. Secure Board approval for quitclaim right acquired by County to State r. Review and record documents by Title Section	\$158,000**

## EXHIBIT A

### STATE ROUTE 126/COMMERCE CENTER DRIVE INTERCHANGE IMPROVEMENT COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS ESTIMATED REVIEW COSTS DESIGN PHASE

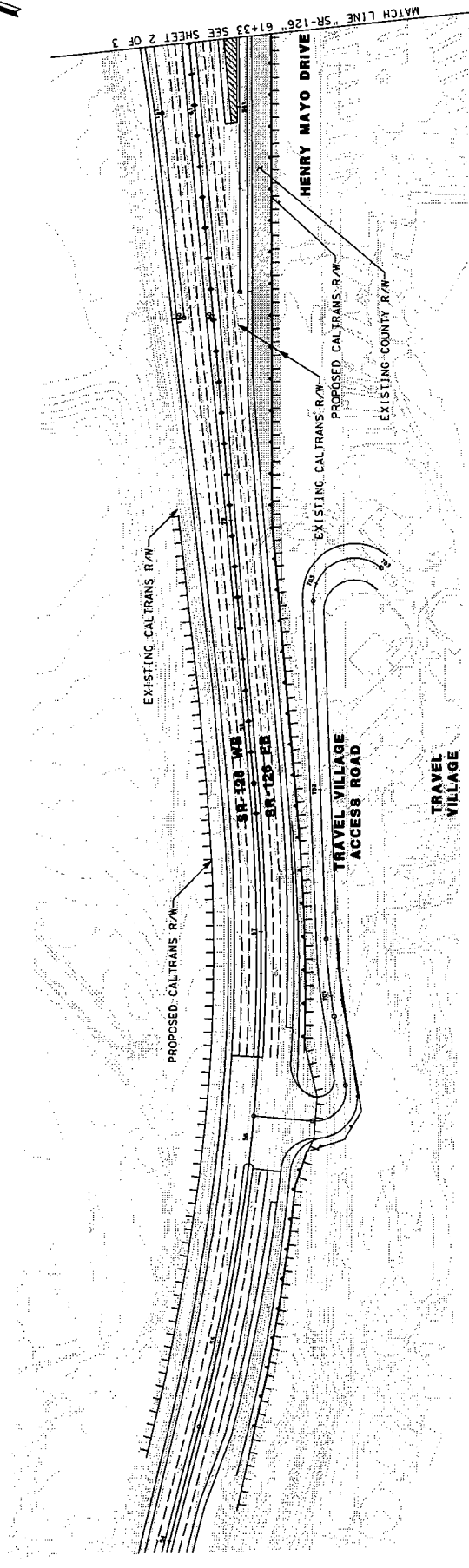
PDD	Tasks includes the following: a. Project management b. Review PS&E	\$133,500
OSD	Review PS&E.	\$3,000
RMD	Review PS&E	\$10,000
SUR	Tasks includes the following: a. Review plans (Verify the datum and references to the survey monument control and validate the initial primary horizontal alignments and assess the proposed sections and profiles b. Utility and construction easement flagging	\$35,000
TNL	Review the following plans (for approximately 25 plan sheets): a. Signing b. Striping c. Traffic signal d. Traffic control e. Street lighting	\$108,000
WMD	Review the following plans (for approximately 25 plan sheets): a. Conditional Level of Map Revision b. Level of Map Revision c. Revised County Floodway (ML) map d. Request Board approval and adoption of the revised ML map	\$25,000
WRD	Review the following items: a. Hydraulic analysis of existing and proposed condition for Santa Clara River b. Bridge span and clearance c. Top of levee and scour depth calculations	\$6,500
<b>TOTAL:</b>		<b>\$810,000</b>

#### Notes:





\* Estimated review cost for Land Development Division will be provided at a later date. Their fee schedule is based on construction cost.

\*\* Estimated review cost does not include cost for compensation of all rights of way necessary for the construction of PROJECT.

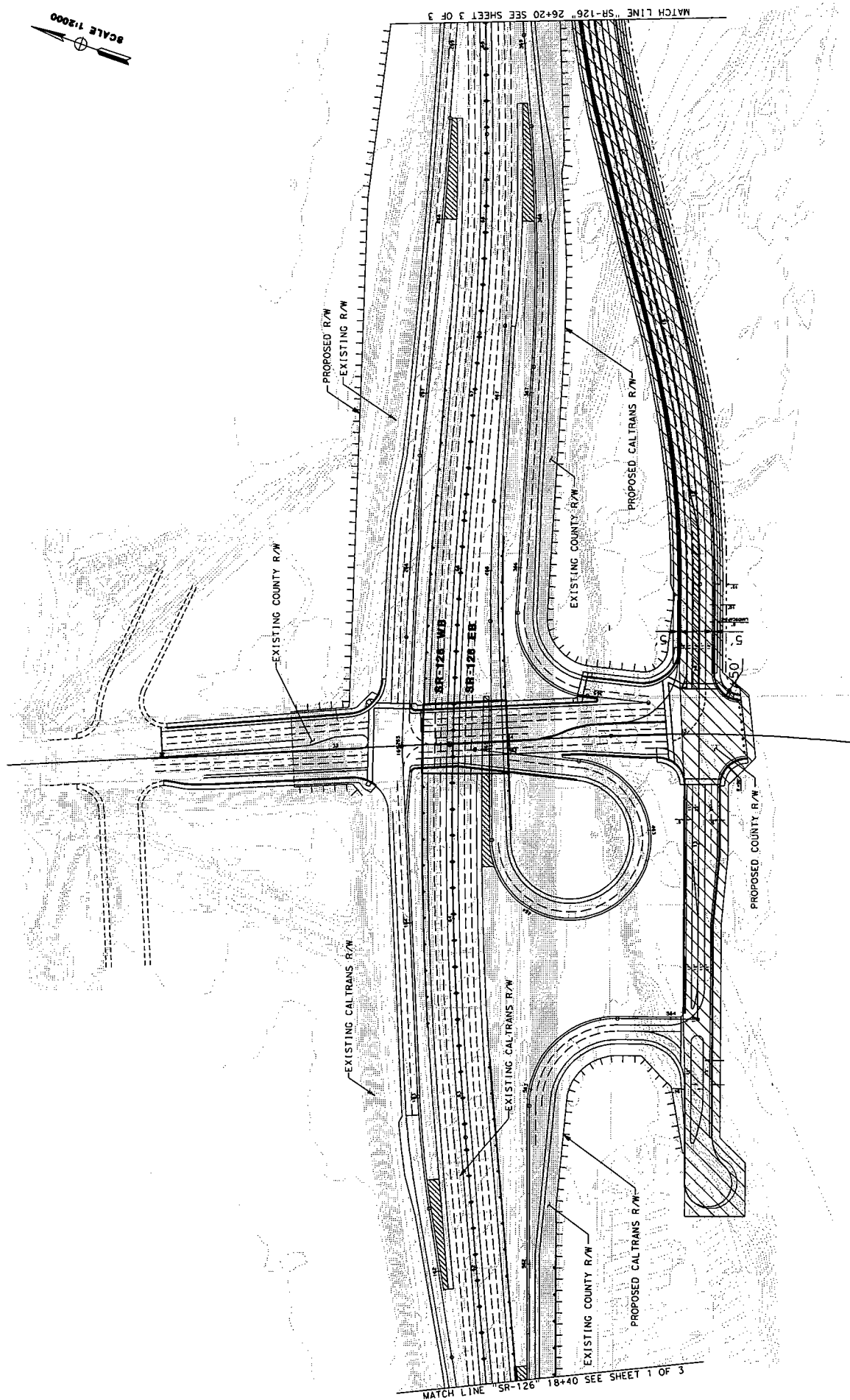
SCALE 1/2000



**LEGEND**

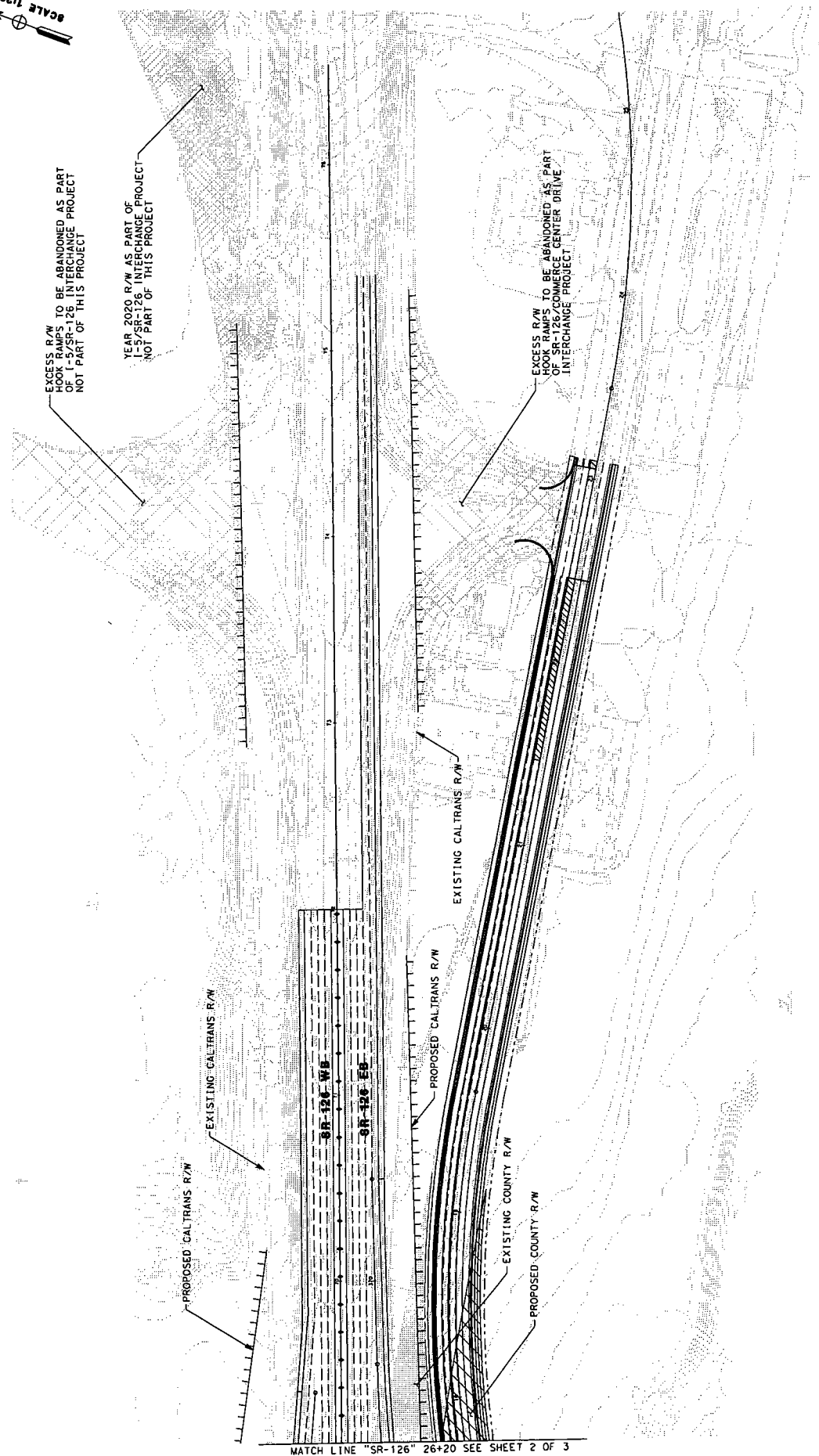
-  EXISTING COUNTY R/W
-  PROPOSED COUNTY R/W
-  EXISTING CALTRANS R/W
-  PROPOSED CALTRANS R/W

SCALE 1"=3000'





SCALE 1:2000



07-LA-126 KP R6.8/R8.3 (PM R4.2/R5.2)  
SR126/Commerce Center Drive intersection,  
and Henry Mayo Drive  
EA No. 07 – 187220

**District Agreement No. 07-4658**

**COOPERATIVE AGREEMENT**

THIS AGREEMENT, ENTERED INTO, EFFECTIVE ON \_\_\_\_\_, 200\_\_, is between the  
STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to  
herein as "STATE", and

COUNTY OF LOS ANGELES, a political  
subdivision of the State of California, referred  
to herein as "COUNTY"

**RECITALS**

1. STATE and COUNTY, pursuant to Streets and Highways Code section 130, are authorized to enter into a Cooperative Agreement for improvements to State highways within the County of Los Angeles.
2. COUNTY desires State highway improvements consisting of a grade-separated interchange at the State Route 126/Commerce Center Drive intersection, widening of State Route 126 and realignment of Henry Mayo Drive, referred to herein as "PROJECT", and is willing to fund one hundred percent (100%) of all capital outlay and staffing costs, except for costs of STATE's quality assurance of environmental, design and right of way activities.
3. STATE's funds will not be used to finance any of the capital and support costs for PROJECT.
4. This Agreement supersedes any prior Memorandum of Understanding (MOU) relating to PROJECT.
5. Construction of said PROJECT will be the subject of a separate future agreement.
6. This Agreement will define the California Environmental Quality Act (CEQA) lead agency, CEQA responsible agency, and the roles and responsibilities of the CEQA lead agency and CEQA responsible agency regarding environmental documents, studies and reports and compliance with CEQA and the National Environmental Policy Act (NEPA).
7. The parties hereto intend to define herein the terms and conditions under which PROJECT is to be developed, designed, financed and the right-of-way activities for PROJECT are to be performed.

**SECTION I**

**COUNTY AGREES:**

1. To fund one hundred percent (100%) of all preliminary, design, and right of way engineering costs, including, but not limited to, costs for preparation of contract documents and advertising and awarding the PROJECT construction contract.
2. To have a Project Report (PR), including all necessary environmental documentation (ED), and detailed Plans, Specifications and Estimate (PS&E) prepared at no cost to STATE and to submit each to STATE for review and approval at appropriate stages of development. PR, final PS&E, and standard special provisions shall be signed by a Civil Engineer registered in the State of California.
3. To permit STATE to monitor and participate in the selection of personnel who will prepare the PR, conduct environmental studies and obtain PROJECT approval, prepare the PS&E, provide the right of way engineering services, and to permit STATE to oversee the Performance of right of way activities. COUNTY agrees to consider any request by STATE to discontinue the services of any personnel considered by STATE to be unqualified on the basis of credentials, professional expertise, and failure to perform in accordance with scope of work and/or other pertinent criteria.

4. Personnel who prepare the PS&E and right of way maps shall be made available to STATE, at no cost to STATE, through completion of construction of PROJECT to discuss problems, which may arise during construction, and/or to make design revisions for contract change orders.
5. To not use funds from STATE for any capital and support costs for PROJECT.
6. To make written application to STATE for necessary encroachment permits authorizing entry onto STATE's right of way to perform surveying and other investigative activities required for preparation of the PR, ED and/or PS&E.
7. To identify and locate all utility facilities within the PROJECT area as part of its PROJECT design responsibility. All utility facilities not relocated or removed in advance of construction shall be identified on the PROJECT plans and specifications.
8. To identify and locate all high and low risk underground facilities within the PROJECT area and to protect or otherwise provide for such facilities, all in accordance with STATE's "Policy on High and Low Risk Underground Facilities Within Highway Rights of Way". COUNTY hereby acknowledges receipt of STATE's "Policy on High and Low Risk Underground Facilities Within Highway Rights of Way".
9. If any existing public and/or private utility facilities conflict with PROJECT construction or violate STATE's encroachment policy, COUNTY shall make all necessary arrangements with the owners of such facilities for their protection, relocation or removal in accordance with STATE policy and procedure for those facilities located within the limits of work providing for the improvement to the State highway and in accordance with COUNTY policy for those facilities which are and will be located outside of the limits of work for the State highway. The total costs of such protection, relocation or removal within the present or future State Highway Right of Way shall be determined in accordance with STATE policy and procedure.
10. To furnish evidence to STATE, in a form acceptable to STATE, that arrangements have been made for the protection, relocation, or removal of all conflicting facilities within STATE's right of way and that such work will be completed prior to the award of the contract to construct PROJECT or as covered in the Special Provisions for said contract. This evidence shall include a reference to all required State highway encroachment permits.
11. COUNTY shall require the utility owner and/or its contractors performing the relocation work within STATE's right of way to obtain a STATE encroachment permit prior to the performance of said relocation work.
12. To perform all right of way activities, including all eminent domain activities, if necessary, at no cost to STATE, in accordance with procedures acceptable to STATE, and in compliance with all applicable State and Federal laws and regulations, subject to STATE oversight to insure that the completed work is acceptable for incorporation into the State highway right of way.
13. To conduct all right of way acquisition related matters in accordance with STATE procedures as contained in the Right of Way Manual. Whenever personnel other than COUNTY personnel are utilized, administration of the personnel contract shall be performed by a qualified Right of Way person employed or retained by COUNTY.
14. To certify legal and physical control of rights of way ready for construction and that all rights of way were acquired in accordance with applicable State and Federal laws

and regulations subject to review and concurrence by STATE prior to the advertisement for bids for construction of PROJECT.

15. To deliver at no cost to STATE legal title to the right of way, including access rights, free and clear of all encumbrances detrimental to STATE's present and future uses not later than the date of acceptance by STATE of maintenance and operation of the highway facility. Acceptance of said title by STATE is subject to a review of a Policy of Title Insurance in STATE's name to be provided and paid for by COUNTY.
16. To provide, at no cost to STATE, survey and mapping services necessary to perpetuate existing land net and alignment monumentation in accordance with Sections 8771 and 8765 of the Business and Professions Code; and to permanently monument the location of all roadway alignments, realignments, and right of way acquisitions. All of the above are to be shown on a Records of Survey filed with the County Surveyor. COUNTY shall deliver one copy of any field notes, filed Corner Records, and the Record of Survey required for execution of the above obligation, to STATE's District 7 Survey Office.
17. To prepare Right of Way Engineering Hard Copies, Right of Way Appraisal Maps, Records of Surveys, and Right of Way Record Maps in accordance with the "State of California Right of Way Manual, Chapter 6", the "State of California Plans Preparation Manual" and the State of California Surveys Manual, Chapter 10", and other pertinent reference material and examples as provided by STATE.
18. To have all necessary Right of Way Maps and Documents used to acquire right of way by COUNTY, prepared by or under the direction of a person authorized to practice land surveying in the State of California. Each Right of Way Map and Document shall bear the appropriate professional seal, certificate number, expiration date of registration certification and signature of the licensed person in "Responsible Charge of Work".
19. To submit to STATE for review and acceptance the Right of Way Engineering Hard Copies and Right of Way Appraisal Maps with appurtenant back-up and reference data prior to preparation of legal descriptions and acquisition documents.
20. If COUNTY uses own staff or hires another entity to perform surveys, such surveys shall conform to the methods, procedures, and requirements of STATE's Survey Manual and STATE's Staking Information Booklet.
21. Personnel who prepare right of way maps, documents, and related materials shall be made available to STATE, at no cost to STATE, during and after construction of PROJECT until completion and acceptance by STATE of Right of Way Record Maps and Records of Surveys.
22. All aerial photography and photogrammetric mapping shall conform to STATE's latest standards.
23. A copy of all original survey documents resulting from surveys performed for PROJECT, including original field notes, adjustment calculations, final results, and appropriate intermediate documents, shall be delivered to STATE and shall become property of STATE. For aerial mapping, survey documents to be furnished are three sets of contract prints, with one set showing control, a complete photo index - two prints and a copy of the negative, and the original aerial photography negative.
24. STATE's quality assurance activities referred to in Article I of Section II of this Agreement do not include performance of any engineering services required for PROJECT. These services are to be performed by COUNTY. If COUNTY requests

STATE to perform any of these services, COUNTY shall reimburse STATE for such services. An Amendment to this Agreement authorizing STATE's performance of such services will be required prior to performance of any engineering work by STATE.

25. To be responsible, at COUNTY expense, for the investigation of potential hazardous waste sites within and outside of the existing State highway right of way that would impact PROJECT as part of the responsibility for the ED for PROJECT. If COUNTY encounters hazardous material or contamination within the existing State highway right of way during said investigation, COUNTY shall immediately notify STATE and responsible control agencies of such discovery.
26. If COUNTY desires to have STATE advertise, award and administer the construction contract for PROJECT, COUNTY shall provide all plans prepared by COUNTY or COUNTY's consultant on compact disc (CD) using Micro Station J .dgn files. Plans may also be electronically transmitted to STATE using ftp format. COUNTY shall notify STATE at least five (5) days prior to such electronic transmittal to make necessary arrangements for proper receipt of the electronic files by STATE. One copy of the data on the compact disc or electronic submittal, including the Engineer's electronic signature and seal, shall be provided to STATE upon completion of the final PS&E for PROJECT. STATE reserves the right to modify the electronic transmittal and format requirements and STATE shall provide COUNTY advance notice of any such modifications.

## **SECTION II**

### **STATE AGREES:**

1. At no cost to COUNTY, to provide quality assurance activities of all work on PROJECT done by COUNTY, including, but not limited to, investigation of potential hazardous material sites and all right of way activities undertaken by COUNTY or its designee, to provide prompt reviews and approvals of the PR and PS&E, as appropriate, of submittals by COUNTY, and to cooperate in timely processing of PROJECT.
2. Upon proper application by COUNTY, to issue, at no cost to COUNTY, an encroachment permit to COUNTY authorizing entry onto STATE's right of way to perform survey and other investigative activities required for preparation of the PR, ED and/or PS&E. If COUNTY uses consultants rather than its own staff to perform required work, the consultants will also be required to obtain an encroachment permit. These permits will be issued at no cost upon proper application by the consultants.

## **SECTION III**

### **IT IS MUTUALLY AGREED:**

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature, State Budget Act authority, and the allocation of resources by the California Transportation Commission.
2. STATE will be the CEQA lead agency and COUNTY will be a responsible agency for CEQA. The Federal Highway Administration (FHWA) will be the Federal lead agency for NEPA with STATE acting as FHWA's agent for NEPA and providing oversight for the NEPA process. COUNTY will assess impacts of PROJECT on the environment and, if necessary, COUNTY will prepare the ED, including the necessary associated

investigative studies and technical environmental reports, in order to meet the requirements of CEQA and NEPA. COUNTY will submit to STATE for STATE's review, comment, and approval the investigative studies and technical environmental reports. The administrative draft, draft, administrative final, and the final ED will require both STATE's and FHWA's review, comment, and approval prior to public availability. STATE will review the technical environmental reports and request approval of the environmental technical reports and ED by FHWA. STATE will be responsible for the public hearing process.

3. If, during preliminary engineering, preparation of the PS&E, or PROJECT construction, new information is obtained which requires the preparation of an additional NEPA and/or CEQA document, this Agreement will be amended to include completion of these additional tasks by COUNTY.
4. The parties hereto will carry out PROJECT in accordance with the Scope of Work, see EXHIBIT A attached and made a part of this Agreement, which outlines the specific responsibilities of the parties hereto. The attached Scope of Work may in the future be modified in writing to reflect changes in the responsibilities of the respective parties. Such modifications shall be concurred with by COUNTY's Director of Public Works or other official designated by COUNTY and STATE's District Director for District 7 and become a part of this Agreement after execution by the respective officials of the parties.
5. The Project Study Report (PSR) for PROJECT approved on May 5, 1999, is by this reference, part of this Agreement.
6. The basic design features (as defined in Attachment 3 of the Scope of Work for PROJECT) shall comply with those addressed in the approved PSR, unless modified as required for environmental clearance and/or FHWA approval of PROJECT.
7. The design, right of way acquisition, and preparation of environmental documents for PROJECT shall be performed in accordance with STATE standards and practices current as of the date of performance. Any exceptions to applicable design standards shall be approved by STATE via the processes outlined in STATE's Highway Design Manual and appropriate memorandums and design bulletins published by STATE. In the event that STATE proposes and/or requires a change in design standards, implementation of new or revised design standards shall be done in accordance with STATE's current Highway Design Manual Section 82.5, "Effective Date for Implementing Revisions to Design Standards", dated February 8, 1991. STATE shall consult with COUNTY in a timely manner regarding effect of proposed and/or required changes on PROJECT.
8. COUNTY's share of all changes in development and construction costs associated with modifications to the basic design features as described above shall be in the same proportion as described in this Agreement, unless mutually agreed by STATE and COUNTY in a subsequent amendment to this Agreement.
9. Any hazardous material or contamination of an HM-1 category found within the existing State highway right of way during investigative studies requiring remedy or remedial action, as defined in Division 20, Chapter 6.8 et seq. of the Health and Safety Code, shall be the responsibility of STATE. Any hazardous material or contamination of an HM-1 category found within the local road right of way during investigative studies requiring the same defined remedy or remedial action shall be the responsibility of COUNTY. For the purpose of this Agreement, hazardous material or contamination of HM-1 category is defined as that level or type of contamination which State or Federal regulatory control agencies having jurisdiction have determined must be remediated by reason of its mere discovery, regardless of

whether it is disturbed by PROJECT or not. If COUNTY decides to not proceed with PROJECT, STATE shall sign the HM-1 manifest and pay all costs for required remedy or remedial action within the existing State highway right of way and COUNTY shall sign the HM-1 manifest and pay all costs for required remedy or remedial action within the local road right of way. If COUNTY and STATE decide to proceed with PROJECT, STATE shall sign the HM-1 manifest and pay all costs for required remedy or remedial action within the existing State highway right of way, except that if STATE determines, in its sole judgment that STATE's cost for remedy or remedial action is increased as a result of COUNTY's decision to proceed with PROJECT, that additional cost identified by STATE shall be deemed a part of the costs of PROJECT. COUNTY shall sign the HM-1 manifest and pay all costs for required remedy or remedial action within the local road right of way. STATE will exert every effort to fund the remedy or remedial action for which STATE is responsible. In the event STATE is unable to provide funding, COUNTY will have the option to either delay PROJECT until STATE is able to provide funding or COUNTY may proceed with the remedy or remedial action at COUNTY's expense without any subsequent reimbursement by STATE.

10. The remedy or remedial action with respect to any hazardous material or contamination of an HM-2 category found within the existing State highway right of way during investigative studies shall be the responsibility of COUNTY, at COUNTY's expense, if COUNTY decides to proceed with PROJECT. For the purposes of this Agreement, hazardous material or contamination of HM-2 category is defined as that level or type of contamination which said regulatory control agencies would have allowed to remain in place if undisturbed or otherwise protected in place should PROJECT not proceed. COUNTY shall sign any HM-2 storage manifest if PROJECT proceeds and HM-2 material must be removed in lieu of being treated in place. If COUNTY decides to not proceed with PROJECT, there will be no obligation to either COUNTY or STATE other than COUNTY's duty to cover and protect HM-2 material left in place.
11. If hazardous material or contamination of either HM-1 or HM-2 category is found on new right of way to be acquired by COUNTY for PROJECT, COUNTY, as between COUNTY and STATE only, shall be responsible, at COUNTY's expense, for all required remedy or remedial action and/or protection and shall guarantee STATE that said new right of way is clean prior to transfer of title to STATE in accordance with Article 15 of Section I of this Agreement. The generator of the hazardous material or, if none can be identified or found, the present property owner, whether a private entity or a local public agency, or COUNTY, as a last resort, shall sign the manifest.
12. Locations subject to remedy or remedial action and/or protection include utility relocation work required for PROJECT. Costs for remedy and remedial action and/or protection shall include, but not be limited to, the identification, treatment, protection, removal, packaging, transportation, storage, and disposal of such material.
13. The party responsible for funding any hazardous material cleanup shall be responsible for the development of the necessary remedy and/or remedial action plans and designs. Remedial actions proposed by COUNTY on the State highway right of way shall be pre-approved by State and shall be performed in accordance with STATE's standards and practices and those standards mandated by the Federal and State regulatory agencies.
14. Nothing in the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or affect the legal liability of either party to the Agreement by imposing any standard of care with



respect to the maintenance of State highways different from the standard of care imposed by law.

15. Neither STATE nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement. It is understood and agreed that, pursuant to Government Code section 895.4, COUNTY shall fully defend, indemnify and save harmless the State of California and all officers and employees thereof from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement.
16. Neither COUNTY nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement. It is understood and agreed that, pursuant to Government Code section 895.4, STATE shall fully defend, indemnify and save harmless COUNTY from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement.
17. A separate Cooperative Agreement will be required to cover responsibilities and funding for the PROJECT construction phase.
18. This Agreement may be terminated or provisions contained herein may be altered, changed, or amended by mutual consent of the parties hereto.
19. Except as otherwise provided in Articles 3 and 18 above, this Agreement shall terminate upon completion and acceptance of the construction contract for PROJECT, or on September 30, 2008, whichever is earlier in time.

STATE OF CALIFORNIA  
Department of Transportation

WILL KEMPTON  
Director

By: \_\_\_\_\_  
DOUGLAS R. FAILING  
District Director

Approved as to Form and Procedure

By: \_\_\_\_\_  
Attorney  
Department of Transportation

Certified as to Funds

By: \_\_\_\_\_  
District Budget Manager

Certified as to Financial Terms and Conditions:

By: \_\_\_\_\_  
Accounting Administrator


COUNTY OF LOS ANGELES

By: \_\_\_\_\_  
Mayor, Los Angeles County

ATTEST:  
SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of  
The County of Los Angeles

By: \_\_\_\_\_  
Deputy

Approved as to Form  
RAYMOND G. FORTNER, JR.  
County Counsel

By:  \_\_\_\_\_  
Deputy

**EXHIBIT A**

**Scope of Work**

This Scope of Work outlines the specific areas of responsibility for various project development activities for the proposed grade-separated interchange improvements at the State Route 126/Commerce Center Drive intersection, widening of State Route 126, and realignment of Henry Mayo Drive in the County of Los Angeles.

1. STATE will be the Lead Agency and COUNTY will be a Responsible Agency for CEQA. COUNTY will prepare the Environmental Document (ED) to meet the requirements of CEQA and NEPA. The draft and final ED will require STATE review and approval prior to public circulation. COUNTY will provide all data for and prepare drafts of the Draft Project Report (DPR) and Project Report (PR). STATE will review and process the reports and request approval of the PROJECT and ED by the Federal Highway Administration (FHWA). COUNTY will be responsible for the public hearing process.
2. COUNTY will submit drafts of environmental technical reports and individual sections of the draft environmental documents to STATE, as they are developed, for review and comment. Existing traffic counts and projections to be used in the various reports shall be supplied by STATE if available, or by COUNTY. Updated traffic data shall be furnished by COUNTY.
3. COUNTY and STATE concur that the proposal is a Category 4A as defined in STATE's Project Development Procedures Manual.
4. STATE will review, monitor, and approve all project development reports, studies, and plans, and provide all necessary implementation activities up to but not including advertising of PROJECT.
5. The existing freeway agreement need not be revised.
6. All phases of the PROJECT, from inception through construction, whether done by COUNTY or STATE, will be developed in accordance with all policies, procedures, practices, and standards that STATE would normally follow.
7. Detailed steps in the project development process are attached to this Scope of Work. These Attachments are intended as a guide to STATE and COUNTY staff.

**ATTACHMENT 1**  
**PLANNING PHASE ACTIVITIES**

<b><u>PROJECT ACTIVITY</u></b>	<b><u>RESPONSIBILITY</u></b>	
	<b><u>STATE</u></b>	<b><u>COUNTY</u></b>
1. ENVIRONMENTAL ANALYSIS & DOCUMENT PREPARATION		
Provide Quality Control		X
Provide Quality Assurance	X	
Establish Project Development Team (PDT)	X	X
Approve PDT	X	
Project Category Determination	X	
Prepare Preliminary Environmental Assessment		X
Identify Preliminary Alternatives and Costs		X
Prepare and Submit Environmental Studies and Reports		X
Review and Approve Environmental Studies and Reports	X	
Prepare and Submit Draft Environmental Document (DED)		X
Review DED in District	X	
2. PROJECT GEOMETRICS DEVELOPMENT		
Provide Quality Control		X
Provide Quality Assurance	X	
Prepare Existing Traffic Analysis		X
Prepare Future Traffic Volumes for Alternatives		X
Prepare Project Geometrics and Profiles		X
Prepare Layouts and Estimates for Alternatives		X
Prepare Operational Analysis for Alternatives		X
Review and Approve Project Geometrics and Operational Analysis	X	
3. PROJECT APPROVAL		
Provide Quality Control		X
Provide Quality Assurance	X	
Lead Agency for Environment Compliance Certifies		
ED in Accordance with its Procedures	X	X
Prepare Draft Project Report (DPR)		X
Finalize and Submit Project Report with Certified ED for Approval		X
Approve Project Report	X	

**ATTACHMENT 2**  
**DESIGN PHASE ACTIVITIES**

<b><u>PROJECT ACTIVITY</u></b>	<b><u>RESPONSIBILITY</u></b>	
	<b><u>STATE</u></b>	<b><u>COUNTY</u></b>
1. PRELIMINARY COORDINATION		
Provide Quality Control		X
Provide Quality Assurance	X	
Request 1 - Phase EA	X	
Field Review of Site		X
Provide Geometrics		X
Approve Geometrics	X	
Obtain Surveys & Aerial Mapping		X
Obtain Copies of Assessor Maps and Other R/W Maps		X
Obtain Copies of As-Builds		X
Send Approved Geometrics to Local Agencies for Review	X	
Revise Approved Geometrics if Required		X
Approve Final Geometrics	X	
Determine Need for Permits from Other Agencies	X	X
Request Permits		X
Initial Hydraulics Discussion with District Staff		X
Initial Electrical Design Discussion with District Staff		X
Initial Traffic & Signing Discussion with District Staff		X
Initial Landscape Design Discussion with District Staff		X
Plan Sheet Format Discussion	X	X
2. ENGINEERING STUDIES AND REPORTS		
Provide Quality Control		X
Provide Quality Assurance	X	
Prepare & Submit Materials Report & Typical Section		X
Review and Approve Materials Report & Typical Section	X	
Prepare & Submit Landscaping Recommendation		X
Review & Approve Landscaping Recommendation	X	
Prepare & Submit Hydraulic Design Studies		X
Review & Approve Hydraulic Design Studies	X	
Prepare & Submit Bridge General Plan & Structure Type Selection		X
Review & Approve Bridge General Plan & Structure Type Selection	X	

<b><u>PROJECT ACTIVITY</u></b>	<b><u>RESPONSIBILITY</u></b> <b><u>STATE</u> <b><u>COUNTY</u></b></b>	
3. R/W ACQUISITION & UTILITIES		
Provide Quality Control		X
Provide Quality Assurance	X	
Request Utility Verification		X
Request Preliminary Utility Relocation Plans from Utilities		X
Prepare R/W Requirements		X
Prepare R/W and Utility Relocation Cost Estimates		X
Submit R/W Requirements & Utility Relocation Plans for Review		X
Review and Comment on R/W Requirements	X	
Longitudinal Encroachment Review	X	
Longitudinal Encroachment Application to District		X
Approve Longitudinal Encroachment Application	X	
Request Final Utility Relocation Plans		X
Check Utility Relocation Plans		X
Submit Utility Relocation Plans for Approval		X
Approve Utility Relocation Plans	X	
Submit Final R/W Requirements for Review & Approval		X
Fence and Excess Land Review	X	
R/W Layout Review	X	
Approve R/W Requirements	X	
Obtain Title Reports		X
Complete Appraisals		X
Review and Approve Appraisals for Setting Just Compensation		X
Prepare Acquisition Documents		X
Acquire R/W		X
Open Escrows and Make Payments		X
Obtain Resolution of Necessity		X
Perform Eminent Domain Proceedings		X
Provide Displacee Relocation Services		X
Prepare Relocation Payment Valuations		X
Provide Displacee Relocation Payments		X
Perform Property Management Activities		X
Perform R/W Clearance Activities		X
Prepare and Submit Certification of R/W		X
Review and Approve Certification of R/W	X	
Prepare Record of Survey		X
File Monumentation Maps		X
Transfer R/W to STATE		X
Approve & Record Title Transfer Documents	X	
Prepare R/W Record Maps		X

<b><u>PROJECT ACTIVITY</u></b>	<b><u>RESPONSIBILITY</u></b>	
	<b><u>STATE</u></b>	<b><u>COUNTY</u></b>
4. PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATES		
Provide Quality Control		X
Provide Quality Assurance	X	
Prepare and Submit Preliminary Stage Construction Plans		X
Review Preliminary Stage Construction Plans	X	
Calculate and Plot Geometrics		X
Cross-Sections & Earthwork Quantities Calculation		X
Prepare and Submit BEES Estimate		X
Put Estimate in BEES	X	
Local Review of Preliminary Drainage Plans and Sanitary Sewer and Adjustment Details		X
Prepare & Submit Preliminary Drainage Plans		X
Review & Approve Preliminary Drainage Plans	X	
Prepare Traffic Striping and Roadside Delineation Plans & Submit for Approval		X
Review & Approve Traffic Striping and Roadside Delineation Plans	X	
Prepare & Submit Landscaping and/or Erosion Control Plans		X
Review & Approve Landscaping and/or Erosion Control Plans	X	
Prepare & Submit Preliminary Electrical Plans		X
Review & Approve Preliminary Electrical Plans	X	
Prepare & Submit Preliminary Signing Plans		X
Review & Approve Preliminary Signing Plans	X	
Quantity Calculations		X
Safety Review/Quality Review	X	X
Prepare Specifications		X
Prepare & Submit Checked Structure Plans		X
Review & Approve Checked Structure Plans	X	
Prepare Final Contract Plans		X
Prepare Lane Closure Requirements		X
Review and Approve Lane Closure Requirements	X	
Prepare & Submit Striping Plan		X
Review & Approve Striping Plan	X	
Prepare Final Estimate		X
Prepare & Submit Draft PS&E		X
Review Draft PS&E	X	
Finalize & Submit PS&E to District		X
Approve Final PS & E	X	

**ATTACHMENT 3**  
**DEFINITIONS**

Basic Design Features - A general description of the facility:

Widening of State Route 126 and construction of a new grade-separated interchange at State Route 126 and Commerce Center Drive.

- State Highway Design speed is 105 km/hr; Local street design speed is 80 km/hr.
- PROJECT has three through lanes each direction on Route 126; three through lanes each direction on Commerce Center Drive. Auxiliary lanes extending from eastbound on-ramps to eastbound Route 126. Grade separation carrying Route 126 over Commerce Center Drive. Westbound diamond off-ramp and westbound diamond on-ramp to Route 126 at Commerce Center Drive. Eastbound hook off-ramp to Henry Mayo Drive. Eastbound direct on-ramp to Route 126 from northbound Commerce Center Drive and eastbound loop on-ramp to Route 126 from southbound Commerce Center Drive.
- For State highway widths: through lanes = 3.6 m, shoulder = 3.0 m, median = 6.6 m  
For local street widths: through lanes = 3.6 m, shoulder = 0.6 m, median = 4.2 m
- Intersections to include left and right turning pockets and traffic responsive signalization.

Mandatory and Advisory Design Standards -

Advisory design standards requiring design exceptions include: intersection spacing between ramp intersections and local street intersections, super elevation transition length along ramps.